

HISTORY
OF THE
SECOND WAR
BETWEEN THE
UNITED STATES OF AMERICA
AND
GREAT BRITAIN,

DECLARED BY
ACT OF CONGRESS, THE 18th OF JUNE, 1812,
AND CONCLUDED BY PEACE, THE 15th OF FEBRUARY, 1815.

BY
CHARLES J. INGERSOLL.
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EMBRACING THE EVENTS OF 1814 AND 1815.

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CHAPTER I.

NAVAL HOSTILITIES — PRIVATEERS — DARTMOOR PRISON.

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OF the seven naval engagements in 1814, the Americans gained four by confession of the English, and in two of the other three, when overpowered by irresistibly superior force, improved their national character by unexampled fortitude: for the captures of the frigates Essex and President enhanced the personal character of the vanquished, and improved the national character of their country. These disasters super-added unquestionable evidence of pre-eminent fortitude under discouraging circumstances to abundant preceding proofs that Americans brave dangers with alacrity. Some people excel in power of endurance, such as the English evinced at the battle of Waterloo. Others excel in fierceness of assault, such as the

French displayed there. But there is no record of a British vessel enduring the terrible blows inflicted on the *Essex* and the *President* before yielding, as I have been told by an American naval officer not given to vaunting. Men of all nations fight gallantly, bravely, even desperately, as long as there is any chance or hope of success; but few will persevere in braving death, when defeat is unavoidable. The misfortunes of the *Essex* and the *President* had that great alleviation. They established the title of the American mariners to passive as well as active courage in their highest attributes.

Sloops of war named the *Wasp*, and the *Frolic*, and the *Peacock*, (after two of our English prizes, the *Frolic* and the *Peacock*, and the *Wasp*, which was taken from us,) the new vessels, each of about 500 tons, which is much smaller than American sloops of war now, put to sea in 1814. The *Frolic*, Captain Joseph Bainbridge, soon after she got to sea, was captured on the 20th of April, 1814, by the frigate *Orpheus*, Captain Pigot, without any contest except endeavoring to escape, when the sloop threw most of her guns overboard. The *Peacock* sailed from New York in March, 1814, under Captain Louis Warrington, a gentleman understood to be the natural son of Count Rochambeau, who commanded the French army which, united with Washington's, forced Cornwallis to surrender at Yorktown, and put an end to the war of the Revolution. It was said too, that when Captain Warrington made his way to promotion and distinction, Count Rochambeau sent and offered to own him as his son;—to which he made answer, that having dishonored his mother, and deserted him when he needed protection, Captain Warrington had neither occasion nor desire for Count Rochambeau's paternity. Besides fourteen merchant vessels, taken during his cruising, Warrington captured, on the 29th of April, 1814, the brig of war *Epervier*, Captain Wales, nearly, or quite equal in force to the *Peacock*, but obliged to strike after an action in which the superiority of the American was made every way obvious. The *Epervier* was sent into Savannah. The *Peacock* continued the cruise till October, when she returned to New York. The *Wasp*, Captain Johnson Blakely, put to sea from

Portsmouth, New Hampshire, about the first of May, 1814. On the 25th of June, 1814, after a very short, but on both sides gallant conflict, the Wasp took the brig of war Reindeer, Captain Manners, who was killed, with many of his people, and his vessel burned to prevent re-capture. On the 1st of September, 1814, the Wasp compelled the British brig of war Avon, (of almost the same force), Captain Arbuthnot, to strike; but after she surrendered, and before Captain Blakely could take possession of his prize, two other British vessels of war approached, and the Wasp was constrained to stand on the defensive, so that the Avon escaped. The 21st of September, 1814, when the Wasp captured a merchant brig called Atalanta, and put Midshipman, now Captain Geisinger on board as prizemaster, who arrived with his prize at Savannah, the 4th of November, is the last that was ever heard of the Wasp, whose loss, by whatever means, after her gallant exploits, was a subject of universal national sorrow and anxious conjecture. American naval victories, with anything like equal force, had by that time become so common, that they were invariable. Dutch, at one period, asserted equality with English mariners, and subsequently English undeniable superiority to French, were neither of them ever so palpable as American superiority to English. Every battle was an American victory, in which ascendant the American privateers participated. In one of those free conversations which O'Meara relates of the loquacious Napoleon, too late convinced of American naval prowess, which as Emperor he unwisely disregarded, he remarked —

“The sea is yours — your seamen are as much superior to ours as the Dutch were once to yours. I think, however, that the Americans are better seamen than yours, because they are less numerous.” I observed that the Americans had a considerable number of English seamen in their service who passed for Americans, which was remarkable, as, independent of other circumstances, the American discipline on board of men-of-war was much more severe than ours; and, that if the Americans had a large navy, they would find it impossible to have so many able seamen in each ship as they had at present. When I observed that the American discipline was more severe than ours, he smiled and said, ‘that is hard to believe.’”

The profane remark of another great warrior, Frederick, that Providence always sides with the strongest forces, was com-

pletely and wonderfully disproved by the American vessels, not more than one to a hundred, defeating the British.

After Captain Porter's first cruise in the frigate *Essex*, he brought her into the Delaware, where she lay in the stream off Chester, at which village his wife's father, William Anderson, kept a tavern. He was one of the members who represented Pennsylvania in the House of Representatives of the United States. Soon after my election with him to Congress, in October, 1812, some of our party entertained Captain Porter at a dinner, at his father-in-law's tavern in Chester, a few days before the *Essex* sailed, the 27th or 28th of October, 1812, on her last and memorable cruise, one of the most remarkable that naval history registers. Porter was a small, slight, and rather ill-favored New England man, of genius, nerve, and capacity for heroic achievement. He avowedly hated the English marine as heartily as it was possible for Admiral Lord Collingwood, with racy but neither useless or perhaps censurable British patriotism to hate the French; which detestation that mild and excellent officer said he deemed his duty to his country. For Porter, when a poor cabin-boy, had been seized by a British press-gang, and resisted it unto death; made his escape, fugitive and liable to be treated as a deserter; worked his passage home as a common sailor; and, like hundreds more of American sea Hannibals, had sworn vengeance upon the altar of freedom against the hateful lords of the ocean, with whom, as other American naval officers, he longed for opportunity to prove that they were able to cope. "Free trade and sailors' rights," the motto which he flung out from the mast-head of his little frigate, was in his heart's core, and he was desperately resolved to brand it on British shoulders. American seafaring hatred of the English was then a pervading sentiment, when general repugnance of Americans to English was neither unnatural nor barbarous. After years of outrageous hostilities, civil wars, kindred conflicts, impressment by sea, conflagration and havoc ashore, bloody indignities every where, contumelious English habits and arrogant overbearing, Porter, Decatur, and other naval officers, and Jackson and Brown in the army, were fired with national animosity which helped exploit. Nor did the in-

tense aversion of brave, high-tempered combatants prevent, but on the contrary superinduced graceful and cordial amity with former foes, as soon as the contest was ended and respect was reciprocated. If there is much to admire in the refinements of antagonists in war, who adorn battle and carnage with chivalrous observances of good-breeding, the savage fury with which warriors are sometimes inflamed, sharpens vigilance, increases energy, and doubles force. Americans and English quarrel like brothers or lovers, with extreme bitterness; but their reconciliations, individual and national, are therefore the more cordial, and, it should be hoped, lasting.

When he found the Atlantic coast of South America unfruitful of prizes and adventures, Porter resolved to seek them beyond Cape Horn in the Pacific, and in spite of storms, dangers, and privations of all sorts, hoist his flag among the whalers. It was an adventure full of peril, which none but a fearless seaman could undertake with any chance of success. All the South American states were in the interest of Britain. There was not a port where he could be safe from the mighty foe he braved. Yet he broke up the British whale trade entirely, so that whaling has been gradually becoming ever since almost an exclusive American pursuit, until lately the conquest of California, with its marvellous inducements, ensures the whole Pacific sea, and eventually all its Asiatic borders, China, India, and Japan, to American commercial enterprise. For near twelve months after Porter sailed on that expedition, he was hardly heard of at home, and then it was only through Jamaica, England, or some other English place, that his countrymen learned the enormous havoc he was making on the enemy's Pacific trade. He constituted a fleet of nine vessels out of the British whalers he captured; manned, victualled, armed, refitted, and in every way equipped his frigate and her consorts; paid for all he had to buy out of more than half a hundred thousand dollars in coin which he took in one of his prizes, and was for many months the terror of our enemies, and protector of American interests in those seas. Numerous ships of war were despatched from many quarters, to arrest and subdue him; which would probably never have happened, had he not, sated with merely

unresisting prizes, after sweeping the Pacific of merchant-men, gone in quest of a frigate of superior force, for the glory of fighting her; nor when they at last met, would he have been vanquished but for Spanish complicity with British, shrinking from that gallant and lofty defiance of all foes, theretofore not only the boast and glory but the strength of the English navy. If either a neutral harbor had shielded him, or his conquerors had fought him manfully, his marvellous cruise would have closed, in all probability, by a brilliant victory.

Shortly before war was declared, President Madison sent Joel R. Poinsett on a confidential mission through South America, to ascertain and report the state of things, and of public sentiment, in those Spanish colonial countries. Mr. Poinsett, afterwards American Minister in Mexico, Secretary of War during Mr. Van Buren's presidency, and for some time member of Congress, was a South Carolinian, educated in England, enlightened by extensive travel, well-informed, well-bred, and warmly devoted to the republican development of the United States. Notwithstanding many attachments formed in England, like other Americans he was accused of enmity to England, because in the protracted controversies provoking war between that country and this, he espoused the cause of his own. He wrote from South America, advising government that a frigate should be sent round Cape Horn, to show our flag in those seas, where it was the general impression, as it was also common elsewhere, that by the treaty acknowledging independence, the United States were not allowed to employ large vessels of war. There were, moreover, Spanish privateers annoying our commerce. For these reasons Mr. Poinsett advised the employment of a frigate on the South American coast. But it was not by that advice that Captain Porter sailed round Cape Horn and into the Pacific. His cruise was his own project. From Mr. Poinsett, who was with him at Valparaiso, I am enabled to add some particulars to the memorable catastrophe of Porter's capture, correctly described by Fenimore Cooper in his *Naval History*, and by others, but with one mistake, as Mr. Poinsett understood from Captain Hillyer. With whatever cold-blooded tenacity he clung to disproportionate force to over-

whelm his antagonist, whom it would have been more politic as well as honorable to fight on equal terms, yet Captain Hillyer disclaimed superior orders to cruise in company with the *Cherub*, or to rely on any reinforcement. The *Phœbe* sailed and cruised alone; her consorting with the *Cherub* was accidental. Captain Hillyer deemed it, he said, his duty to subdue a dangerous enemy by irresistible force, rather than risk the result on doubtful terms. Reinforcement he claimed as his duty; and with eighty-one guns in a neutral harbor, out of range of all but his enemy's six guns, to slaughter them till they surrendered.

Sloops of war were combined in that enterprise. The frigate *Phœbe* cruised alone, and her junction afterwards with the *Cherub* was accidental, not from any superior orders or design to cruise in couples for the American frigate. The Spanish harbors and authorities were friendly to the British, and hostile to the Americans. A Spanish port was scarcely neutral, owing to British and Spanish alliance, and the commanding British navy, little scrupulous of neutral rights. When the *Phœbe*, having discovered the *Essex* at Valparaiso, after six weeks blockade boldly steered at last into that harbor, her resolution to attack there was so ostensible, that Porter might have justifiably anticipated what the British frigate gave every reason to apprehend. Porter did not believe that Hillyer would respect the neutrality of the port. All cleared and prepared for action, her men at quarters, the *Phœbe* steered right for the *Essex*, if not to attack, at least to defy, to reconnoitre close aboard, scan the American and display the British force; and currents set the *Phœbe* probably still nearer the *Essex* than was intended. Their yards nearly touched. Collision seemed inevitable. Porter's men were at quarters eager for conflict, nor did he allow a spar or a rope to be altered or touched. If the *Phœbe*'s yards had not been trimmed, she would have been afoul of the *Essex*, and then Porter would have instantly boarded. In a clear, calm voice he called to his adversary, "Captain Hillyer! if you touch my ship I shall board you," at the same time ordering all hands to the starboard quarter, boarders to repel boarders. Captain Hillyer, elderly and grey-headed, with probably no rash design, pale and evidently perturbed, protested again and

again that his ship's position was accidental, that there was no design of aggression. The American boarders, armed to the teeth, were at their posts; blows and bloodshed were at hand. Mr. Poinsett, who was in the *Essex*, with military tastes and self-possession, says it was a moment of intense excitement,—when the *Phœbe* fell off a little without touching the *Essex*,—Captain Hillyer's disquiet sufficiently demonstrating that he did not intend to attack. Just as the *Phœbe* cleared the *Essex*, the British first lieutenant, Graham, called out, "Don't be alarmed—we shall not touch you." "We are not at all alarmed, but wish you would touch us," was the prompt retort of a young American officer, Decatur McKnight, from the fore chains.

If the *Essex* had put to sea immediately, it would have been a breach of neutrality for the *Phœbe* and *Cherub* to pursue her directly from the harbor of Valparaiso; and probably the British vessels needed provisions, having been five months at sea in quest of the *Essex*, and six weeks blockading her at Valparaiso. But when Captain Porter was told by Mr. Poinsett of these advantages for going to sea, he at once rejected them in the hope of an engagement with the *Phœbe*, for which he was anxious. Captain Hillyer, losing no time in supplying his two ships, resumed his station off the port. Continual manœuvres ensued, Porter frequently sailing out of the harbor, in order to bring the *Phœbe* to action, and likewise to try the speed of the *Essex*, which he found to be greater than that of the *Phœbe*. But Hillyer never suffered the *Cherub* to leave the *Phœbe*, nor would the *Phœbe* engage the *Essex* alone. On one occasion, when the *Cherub* happened to be far to leeward, the *Phœbe* made her appearance off the harbor, hoisted her flag, and fired a gun to windward. That, in naval etiquette, being considered a challenge, Porter immediately accepted it, weighed anchor, and stood out to meet his antagonist. But as the *Essex* approached the *Phœbe*, the latter squared away and ran down towards the *Cherub*. Captain Hillyer afterwards assured Captain Porter that he did not mean to challenge the *Essex*, but that the gun fired to windward was a signal to the *Cherub*, to bear up and join the *Phœbe*. Porter failing to

bring Hillyer to single combat, attempted a plan for depriving him of the Cherub. Observing that she occupied the same place several nights, Porter manned boats for an expedition to surprise, board, and capture the Cherub in the dark. All his measures were taken with great circumspection. Reconnoitering in person, and confident of success, he took command of the boats, and in profound silence and darkness made for the British corvette. But she had changed her position, the approach of the boats was by some means known on board the Cherub; the sea around her was illuminated by blue lights, and the boats were obliged to return to Valparaiso. When that attempt was made, Mr. Poinsett was absent. Hearing of it on his return, he warned Captain Porter that it was a breach of neutrality to fit out an armed expedition from a neutral port. It was that circumstance which prevented our government from demanding satisfaction of the Chilian for the much grosser violation of neutrality, committed by the British in the capture of the Essex within Chilian jurisdiction; for which, but for Porter's boat expedition, Mr. Poinsett would have filed a protest, on which our government would have demanded indemnity for the loss of the Essex: for though perhaps the Chilian government were not aware, yet the British were, of the armament of the boat expedition at Valparaiso, and its sailing from the neutral port.

After many ineffectual efforts to bring the Phœbe to single combat, Porter at last determined to go to sea,—believing that the Essex could out-sail both the British ships. The cabin bulwarks were taken down, and the long twelve-pound guns were run out to serve as stern chasers. Mr. Poinsett, who slept on board the Essex the night before her departure, took leave of Captain Porter, when his vessel made sail from the harbor of Valparaiso, on the 28th of March, 1814, in one of those fierce gales common there. The two British ships, always prudently managed, were under light canvass, on the look-out. As the Essex rounded the point, discovering that he could pass to windward between them and the land, Captain Porter ventured to haul up without taking in topsails, and in doubling the headland carried away his maintopsail, precipitating several

of his crew into the sea, some of whom it was impossible to save in that first and ominous disaster of a fatal day. That misfortune left Porter no alternative but to return to Valparaiso, where, if he could have regained his former berth, it might have been possible to defend his ship; but, crippled as she was, he was obliged to run her to the head of the bay, and there cast anchor. The *Cherub*, shaking out her reefs, quickly followed. But though bravely brought into action by her captain, Tucker, he was soon wounded, and his vessel so battered by the *Essex*, that the *Cherub* hauled off to repair damages before the *Phœbe* opened her fire. Following in his consort's wake, Captain Hillyer took the *Cherub's* place, but soon found the fire of the *Essex* intolerable. His first lieutenant, Ingram, and some of his men, were killed; the *Phœbe* was repeatedly hulled, and the action began so favorably to the *Essex* that the *Phœbe*, like the *Cherub*, drew off, and retired beyond the range of the American cannonade. As Captain Hillyer was going into action, his first lieutenant, Ingram, warmly urged his commander to fight the Americans fairly, and without any undue advantage. "Let us," said he, a few minutes before that brave seaman was shot dead, "let us have no *Cherub* to help us, but with the *Phœbe* alone, lay the *Essex* aboard, yard-arm to yard-arm, and fight like Britons." Captain Hillyer told Mr. Poinsett, who walked with him at Ingram's funeral, that he was an excellent officer, who, in their long sea-service together, Hillyer had never known to be insubordinate but on that occasion, when he was much excited, "and I was obliged," said the Captain, "to overrule his request. It was our duty, I told him, to use whatever means were placed at our disposal, to capture an enemy who had done so much damage to British commerce, and whose escape would be attended with such serious results." In Captain Hillyer's official despatch, there are odors not only of duty but of sanctity and sentimentalism, of which American history has no right to deprive him. The thanks of the merchants, whose commerce he rescued from a dangerous assailant, and the favor of his superiors, he probably earned. But the heroism of British naval exploit was buried with his lieutenant. And if that heroism was warmed by the blood of Byng, shed

for alleged cowardice, it may be questioned whether Captain Hillyer's cold-blooded calculations were more profitable to the policy than to the true glory of lords of the ocean. To massacre the brave people of the *Essex* with eighty-one cannon, when out of reach of their six, was more benumbing to British enterprise than the admiralty order to avoid large American frigates, which Admiral Napier coarsely characterised in Parliament as only fit to be thrown into the quarter-gallery.

Mr. Poinsett, who had gone ashore from the *Essex* in the boat of the *Essex Junior*, one of Porter's prizes fitted out and manned from his ship, and put under command of his first Lieutenant Downes, mounting his horse galloped to the head of the bay, earnestly surveying the various eventful occurrences between the British and American vessels. At the beginning of the battle he saw that the *Essex* fired with fatal effect, and so repelled her first assailant; that the *Phœbe's* firing was wild and pointless, while she suffered from the deadly shots of the *Essex*. But when the *Phœbe* likewise retired, and the British ships, both out of range of the guns of the *Essex*, from their long eighteen-pound cannon swept her decks, with no danger to the British, it was, like target-firing, with cruel certainty. Mr. Poinsett could distinctly see the shots from the *Essex* plunge into the water without reaching the *Phœbe*, while her shot, when they missed the *Essex*, struck the shore not far from where Mr. Poinsett was. During that massacre, the Americans, officers and men, all emulating their noble captain, gloriously immolated themselves to the honor of their untarnished flag, and the glory of their distant country. The *Essex* was repeatedly on fire. More than half of her crew were either killed, wounded, drowned, or escaped ashore. Valparaiso, built at the foot, or on the acclivity of lofty hills, furnished thousands of eye-witnesses upon them, of the sanguinary sacrifice, continued for nearly two hours, by the cannon of two vessels firing upon one, disabled and nearly unarmed, the two executioners keeping out of gun-shot, where it was impossible for their victim to hurt them. Captain Hillyer's official despatch stated that in the outset of the engagement "appearances were a little inauspicious;" and

that "the colors of the *Essex* were not struck until the loss, in killed and wounded, was so awfully great, her shattered condition so seriously bad, as to render further resistance un-availing."

That engagement was the most desperate by sea throughout the war. The commanders of the antagonist ships had worked their respective crews to intense, if not to delirious hostility. They fought under numerous flags and ensigns, defying each other: the American motto "free trade and sailor's rights" defensive; the British motto "God, our country and liberty, traitors offend both," insulting. During the six weeks while the British lay off Valparaiso watching the *Essex*, the crews exchanged challenges by letters and rhymes, several of which were afterwards published in the *Analectic Magazine* by Mr. Paulding, who was Secretary of the Navy when Mr. Poinsett was Secretary of War. National antipathy had been so excited, that many of Porter's crew, rather than be captured swam ashore, whilst others were drowned in the effort. They repaired to Mr. Poinsett's residence in a state of extreme indignation: and Captain Porter's official letters state that Mr. Poinsett called on the Governor to vindicate the violated neutrality of the port. Only one hundred and sixty of the Americans fell into captivity, which Captain Hillyer mitigated as much as he could by generous treatment. In that respect full homage was rendered to him by his prisoners, as he did equal justice to their heroic fortitude. But Captain Hillyer refused Mr. Poinsett permission to go home in the *Essex Junior* when that vessel was fitted as a cartel to carry home Captain Porter and his men. Arrived off Long Island, New York, July 5, 1814, the *Essex Junior* was overhauled by the British razee-ship *Saturn*, Captain Nash, who, receiving Captain Porter kindly, permitted the *Essex Junior* to proceed homewards; but soon countermanded that permission on the assumption that Captain Hillyer was not authorised to make the arrangements he did for Porter's liberation. Incensed at this disappointment, which might lead to his being sent to Halifax as a prisoner, he indignantly gave Captain Nash notice that he (Porter) was no longer on parole, and that night leaving with Lieutenant Downes a

reproachful message for Nash, Porter pushed off in the ship's boat fifty miles from land, and effected his escape ashore at New York, where he was welcomed with great enthusiasm, the horses taken from his carriage, which was drawn by the populace to his lodgings, with every demonstration of general delight. Captain Nash finally allowed Lieutenant Downes to proceed with the *Essex Junior*; but not till his high-mettled commander, chafed by ungenerous discomfiture and dreading more disappointment, abruptly broke from honourable confinement, with imprecations on captors who unjustly impressed and unmanfully overpowered him.

His victimation was hailed by his country as one of its greatest naval achievements. The proud, brave, and free nation of mighty islanders, by whom an admiral was executed, and all naval officers disgraced for failing to encounter equal force, magnanimously deplored, admired, and extolled their offspring's hecatomb, a hundred noble seamen killed, mutilated, or drowned, sacrificing life to honor in defence of the invincible flag proclaiming free trade and sailor's rights; glorious example to the American, formidable warning to the British navies. Public opinion was unanimous throughout the United States that such victims as Decatur and Porter were martyrs of infinite promise. British naval history affords no instance of greater excellence in this great British similitude of the greatest Roman virtue. Porter's capture was one of the few subjects on which the American press was of one mind. The *Boston Gazette*, one of the papers most opposed to the war, and the *United States Gazette*, scarcely less so, concurred with the advocates of the war in condemnation of Captain Hillyer. It was commonly said that he had orders from his superiors to disregard neutral ports and places in pursuit and capture of the American frigate, which had done so much injury to British commerce in the Pacific. Unlawfully violating neutral harbors, in order to subdue an enemy whom he eluded in fair combat, and overpowered by sanguinary contrivance, was universally condemned by all admirers of naval chivalry and advocates of international law. Exchanged soon after their arrival, Porter and his men were engaged on the Potomac against the *Seahorse*

and Euryalus, British frigates, Captains Gordon and Napier, who sacked Alexandria, and aided much in their expulsion, but laden with booty, from Virginia.

On the tempestuous night of January 14, 1815, in a snow-storm, Decatur escaped to sea from New York in the frigate *President*, but, without a pilot, in the darkness and tempest, the ship ran aground, injuring her sailing qualities; and when, as was alleged by many, treacherous lights from shore apprised the enemy of her emergency. Next day four ships of war, the *razée* *Majestic*, *Commodore* *Hayes*, the frigates *Endymion*, *Pomona* and *Tenedos*, were all under press of sail in pursuit. The *Endymion*, which outsailed the other British vessels, and could have engaged the *President* alone if so inclined, at indeed close encounter, was considerably worsted in the chase. At midnight the three other vessels overtook the *President*, *mobbed* her, as our consolatory phrase was at the time, and Decatur proudly surrendered his sword, not to any single conqueror, but to the commander of the squadron: after attesting like Porter a noble spirit of resistance, which would not yield till more would have been much worse than useless. The destruction endured in the *Essex* and the *President* exceeded that on board any English vessel of war before she struck her flag.

On the 20th of February 1815, the frigate *Constitution*, Captain Stewart, brought to action and captured the *Cyane* and the *Levant*, British vessels of war, after a triangular moonlight engagement, and took his two prizes into Porto Praya; off which place, on the 11th of March, the *Leander*, the *Newcastle*, and the *Acasta*, three heavy British men-of-war, appeared. Captain Stewart immediately cut his cables and put to sea with the *Cyane* and the *Levant*. The *Cyane* escaped. The *Levant* retreated into Porto Praya, and was there retaken by the British. The three British ships, each one equal to the *Constitution*, pursued her, and it was much said at the time that one of them might have overtaken her, if the commanding officer, Sir George Collier, had not kept them all three together; who committed suicide sometime after, unable to bear the sting of aspersions cast upon his courage. Captain Stewart's uncommon self-possession, decision, and judgment, were universally

acknowledged, not only in his action but his escape with one of his prizes from a force so superior.

The last naval engagement occurred on the 23d of February 1815, between the sloop-of-war *Hornet*, Captain Biddle, and the British brig-of-war *Penguin*. The *Penguin* was sent to sea by the Admiral, manned and prepared to take the *Young Wasp*, an American privateer. The *Hornet* and *Penguin* were as well-matched as could be in class, size, and metal. The British vessel's captain and many of her crew were killed, while the comparative injury done the combatants proved, beyond a doubt, that the British were no match for the Americans. An English vessel of war was more certainly then triumphantly captured by an American, than theretofore a French by a British vessel of war. So settled had that result become in British apprehensions, that official reports of their naval engagements ceased to be published, probably in order to conceal the comparison of loss, and British vessels by standing order from the Admiralty were directed not to fight with Americans of equal force.

The war of 1812 ended as it began, by a remarkable display of American seamanship and resolution, without bloodshed. Soon after the *Wasp* took the *Frolic* in October 1812, they were both captured by the *Poictiers*, British ship-of-the-line. Biddle was a lieutenant on board the *Wasp*. Not long after, when commander of the *Hornet* he took the *Penguin*, he was again in jeopardy of captivity from another British ship-of-the-line, the *Cornwallis* 74. His escape from that vessel was an exploit like that of the *Constitution* from the squadron of frigates that chased her in July 1812. During several days and nights the *Cornwallis* pursued the *Hornet*, several times getting so near as to throw shot over and into her. But Biddle had once undergone the mortification of such a reverse, and was resolved not to submit to it again. He lightened the vessel by throwing overboard every thing that might impede her sailing, and finally escaped with but one gun, no anchor, cable, boat or any part of his ship's burden that could be cast into the sea. Thirty-five years afterwards Congress passed an act to allow Mr. Zantzinger, the purser of the *Hornet*, payment for what he

had been obliged to sacrifice in that memorable chase, when it appeared that the knives and forks with which the officers and crew ate their meals, were among the immolations made by a spirit of indomitable resolution, which, as in that instance, seldom fails whenever heroically exercised. The superior seamanship and superior self-possession by which the war on the ocean began when Captain Hull escaped from a squadron, and by which it ended when Captain Biddle in a sloop baffled a ship-of-the-line, contributed as much to our reputation for marine superiority, as the bloodiest battle. Hull did not fight the *Guerriere*, nor Biddle the *Penguin*, with more judicious spirit than they both displayed in surmounting jeopardy to which many brave seamen would have succumbed; proving that calm considerate courage often triumphs over the most desperate circumstances.

The war of 1812 closed on the ocean some months posterior to the treaty of peace, after a contest inappreciably important — not only to the United States, but for all maritime nations. Mankind were emancipated by it from British naval dominion, as galling as that great continental despotism against which all Europe took up arms; from both of which the world was relieved together, and probably for ever.

The navy, however, has abundant chronicles, historical records, biographical eulogiums, and other means of applausive recollection. But there is an arm, wonderfully used in that war, of which it has always been my intention to register some of the achievements. No historian has characterised the American privateers; whose deeds, (not always printed at all, and when published, only scattered through newspapers, their value underrated, their characters disparaged), demand not only the patriot's but the statesman's consideration. Militia of the seas, like the militia ashore, in the war of 1812 rivalled the navy and the army, in exploits, in humanity, in all that war can do to make peace.

The United States had uncommon inducements to assault British commerce by means of private armed vessels: almost without a navy to contend, and altogether too small to cope with the greatest naval power in the world. Nearly a thousand

American merchant vessels had been, as we averred, illegally taken and condemned by the British; whose commerce it was befitting retribution to harass by armed private cruisers. Of one hundred thousand and more American seamen, registered at the custom-houses in 1812, a large portion were thrown out of employment by war, to remain idle, destitute, discontented and mischievous, unless employed in privateers. The national vessels could not employ one tenth of them. Through their instrumentality, the national force might be most effectually brought to bear on the maritime enemy; and private contribution economically thus reinforce public action. This has always been, and will be, not only a maritime but a privateering people. Their freedom, and their enterprise, which is the offspring of their freedom, and their habit of doing many things individually, which in other countries are exclusively done by government, must always render sea-volunteers a numerous and powerful American force. Nearly one hundred years ago, when the port of New York was insignificant compared with its present capacity, no less than 48 privateers, manned by 5660 men, armed with 695 cannon, in the year 1758, sailed from that single port to cruise against the commerce of France, then not a fifth of what British commerce was in 1812.

As it was quite uncertain, till the act passed Congress, whether war would be declared, owners and sailors could not make their arrangements till some weeks after the declaration. Yet within three months 219 British vessels were captured, armed with 574 cannons and manned by 3108 men, of which hostile annoyance to the enemy, individual American gain, and gain to the national treasury, privateers accomplished the greater part. During two years and ten months of the war's continuance, more than 2400 vessels, public and private, armed and unarmed, were taken by American cruisers from the British. Allowing 750 of those to have been re-captured, about 1650 prizes remained, either brought into American ports, or destroyed at sea, and so totally lost to the enemy. Of these prizes, privateers took about 1200; which, at an average of 30 men to each prize, gave 36,000 prisoners, and at an average of 30,000 dollars, as the value of each vessel and cargo,

despoiled Great Britain of 36,000,000 dollars, thereby increasing sea risks, insurance, convoys, and losses beyond all precedent. Every sea-port from Eastport to Savannah ejaculated privateers, manned by experienced officers and thoroughbred seamen, familiar with the seas and all their perils; fond of adventures, greedy of gain, hating, without fearing, the domineering self-styled lords of the ocean, who so long impressed and imprisoned their persons, seized, spoliated, ravaged their property, and insulted their country. From those very parts of the United States where aversion to the war raged, (and often equipped by traders delirious with disaffection, from ports of New England,) within the first month after war was declared, more than a hundred privateers rushed to the ocean for prey. Thirty-seven prizes were sent into Salem, one of the head-quarters of what was called the peace party, by privateers, one of them named the Timothy Pickering, captured by those from the three ports of Salem, Gloucester, and Marblehead, within the first six weeks of hostilities. A privateer, pierced for fourteen guns, was launched at Providence, R. I., in seventeen days after her building began. In vain did the opposition endeavor to prove that privateering was unprofitable; that our privateers, as well as unarmed vessels, were taken by the enemy to a greater amount than our people took from them. The account made up at Salem in November, 1813, reckoned 675,000 dollars, and upwards, ascertained proceeds of sales there alone, of prize-property, against a debit of 164,000 dollars, all the losses that could be counted. Some of the prizes were worth one, two, three, four, five hundred thousand dollars, and even more. The *Dromo*, a Boston shallop of twenty-seven tons and one gun, captured the *Guano*, a British ship of three hundred tons, with a valuable cargo, sent into Salem. The *Mary Ann*, of one gun, captured and sent into Charleston, S. C., two brigs and two schooners, well loaded, armed and manned, with valuable cargoes. British Transport, No. 50, loaded with cannon, musketry, and other warlike utensils, soldiers' clothing, camp equipage, wine, and much valuable cargo, but navigated by twelve men who refused to fight, on her way from Halifax to St. Johns was taken and sent into Gloucester, by the privateer

Madison, of one gun, in sight and despite of a British sloop of war of twenty-two guns, whose launch, armed with forty men, the privateer's men beat off with great execution, and escaped from the sloop of war by superior sailing.

It was calculated that the decisions of the Supreme Court of the United States, condemning American vessels sailing under British licenses, made good to the owners of private armed vessels from Salem and Marblehead alone, two of the most disaffected towns of Massachusetts, more than 650,000 dollars. More than 4,000,000 was the estimated value of licensed vessels captured and condemned: all in addition to the American gains and British losses, by British vessels captured and secured. Twenty-six privateers, mostly well-armed and equipped, sailed from New York soon after war was declared, mounting 212 cannons and with 2339 seamen. More than 200 valuable American vessels and cargoes got safe into New York, during June, July, and August, 1812, after war began, before the enemy had beleaguered the American coasts, and when American naval expeditions, both by privateers and public vessels, were continual.

In spite of political opposition, lucrative enterprise armed the ports of Massachusetts for aggressive and effective war; and while the state would not even defend its soil, many of its excellent mariners, and some disaffected merchants, sought gain by captures, when it was no longer attainable by commerce. There was, indeed, some revival of the maritime spirit of the revolution there. The hulk of an old privateer of that period, called the *Fame*, of Boston, was refitted, and went to sea under a Captain Green. Baltimore sent forth many and superior privateers; one of them, called the *Rossie*, under that gay and gallant veteran, Joshua Barney, who commanded the *Hyder Ali* privateer in the war of the revolution, when, after a severe conflict, he took the *General Monk*, a vessel of the royal British navy. On his first cruise in 1812, he captured more than 3600 tons of British shipping, valued at a million and a half of dollars, with 217 prisoners, 108 of whom he sent, in one of his prizes, on parole, with a receipt of exchange, into Halifax, with his compliments to Admiral Sawyer, commanding

there. An American whale-boat arrived at Portland on the deck of her prize, upon which the captors hoisted their tiny vessel of war.

The American sea-ports abounded with seamen eager for service, and merchants to fit out privateers. Excepting the British, the American seamen outnumbered those of all Europe; to whom sea-roving was habitual, for whom storms and rocks had few terrors, and who, one and all, considered themselves, as they were, at least as good, if not better sailors than the famous British tars. The Dutch, the Danish, the Spanish, Italian, and French sea-faring population had been so thoroughly vanquished by the English, that they were afraid of their victors. The Americans had no such feeling. On the contrary, the British were become afraid of them. And though there were gallant exceptions, yet impressed men, long pent up in wooden walls, could not fail to perceive that their officers were shy of equal combat with the once impressed and despised Yankees. French ships well armed, and manned with French, Dutch, Spanish, and Italian sailors, submitted to be blockaded by English ships of only equal, if not inferior, force. But British seamen found that Nelson's favorite captain, Hardy, did not venture to blockade Decatur at New London, without much superior force; that Yeo always evaded Chauncey, on Lake Ontario, unless greatly superior; and that not only frigates, but American privateers, with impunity shot to sea through the strictest British blockades, and often back again to port, with valuable prizes. American privateers, too, generally outsailed British cruisers: whether because better built, better manned, or more boldly manœuvred. They sometimes audaciously exchanged shots with frigates and ships-of-the-line, proudly styled and commanded as parts of his Britannic Majesty's royal navy. On more than one occasion American privateers captured vessels of the British navy by boarding. They ridiculed paper blockades, landed on British shores, frequented British seas, by dashing audacity defied, perplexed, and damaged British maritime authority, property, and pride. By that striking retribution, so often marking the course of human events, the ocean was alive with despised

enemies, long provoked, never feared, amazing all the world as alone able to break the British trident.

There was retribution also ashore, as well as at sea. British injustice, powerfully repelled by privateer force, was severely retaliated by prize law, breaking forth in that New England, where state authorities, the bench, the pulpit and the tribune were loudest in denunciations of hostilities. A young Salem lawyer, just promoted to the Supreme Court of the United States, and riding the most maritime circuit of the Union, abounding with sea-ports crowded with seamen thrown out of, and thirsting for employment; inhabited by enterprising merchants in the fervor of judicial apprenticeship, selected from the war party for his place, signalised it by impregnating virgin American admiralty law with the lustful rapacities of the English code. Adopting Sir William Scott's elegant and captivating enforcements of an extremely un-English system, descended from the Star Chamber and Spanish inquisition, Judge Story fleshed his maiden decrees with prize law that rendered privateering the most profitable pursuit of New England against Old England. Scarcely a dogma of British prize-law but found in him an expounder, adroit, indefatigable, and independent. He struck at traitors, smugglers, licensers, and prisoners, with equal and unsparing force. Condemnations in his courts followed captures with rapid execution and learned illustration. All the harsh, *ex parte* rules of foreign codes, engrafted on an English stock totally unlike them, suspicious, selfish, and grasping, were inflicted—admiralty droits and all—on English commerce, for the benefit of American privateersmen in that part of this country where all hostility against England was almost universally denounced as unnatural. The sea-roving and lucrific propensities of the most enterprising of people, then condemned to inaction, were stimulated and vouchsafed by pursuits as seductive as the later discoveries of gold in California. As Chatham taught England how profitable it was to wage war with the right arm, at the same time that trade was carried on with the left, so privateering was believed to furnish a gainful substitute for foreign commerce. Great Britain,

with immense commerce afloat, had no privateers. The United States, without public vessels to make head against the English, had a hundred thousand sailors to cruise in privateers.

It was mooted in Congress, and considered throughout the country, whether private armed vessels, which cost government no expense, were not the cheapest and most effective reliance for the war. The navy had nobly done all it could. Was it not wiser to lay it up, reposing on laurels, rather than expose it, and the laurels too, to extreme danger? A hundred privateers, averaging only ten guns and sixty men each, would never fail to be at sea, intolerably harassing the enemy and teaching him the worth of peace by interrupting or destroying his commerce. The modern tendency of freedom is to govern less and leave more to individual action. Volunteer systems, cheaper and safer than armies or navies, are apt to be preferred to the separate profession of arms. At all events, it was said, let a sea-militia, like that on land, constitute part of the belligerent forces. Although British influence and pride decry privateers as piratical and odious, yet is not the principle of depredation the same, and the practice, too, between the private and the public vessel of war? War is a trial which of two combatants can do the other most harm; and why should those who deprecate its brutalities dignify or endeavor to recommend them? Why favor or respect more the ship-of-the-line, armed with a hundred guns, and manned with a thousand men, than the sloop whose sole armament is a single gun, and whose crew is but five-and-twenty men? Depredation is the aim of both alike. According to a well-settled principle of war-law, every individual of each belligerent nation is at war with every individual of the other, and bound to do him all possible harm in person and property.

Still there is a general aversion to privateers, as more like pirates than public vessels of war; aversion natural to a great nation like the British, with immense commerce, obnoxious to private armed cruisers, and an immense navy to protect it; whether it is so just an American antipathy might be questioned. Yet in some parts it broke out in extreme prejudice.

The New Bedford Mercury, published in 1814, contained the following:—

“Mr. Lindsay is requested, by one of his subscribers, to insert in his paper that the doctor of the privateer *Saratoga*, now fitting for a cruise at Fairhaven, applied, some days since, to several apothecaries of this place for a medicine chest, all of whom peremptorily refused supplying him with that article, or with any drugs or medicines for the use of the privateer.”

The writer, who signs himself “A Ship-owner,” adds—

“We think the gentlemen did themselves much credit, and we hope their example will be followed by the citizens of this place generally. Let it be distinctly understood that privateers cannot obtain supplies of any kind at this place, and we shall no longer be infested with those nuisances. Let them fit and refit from that sink of corruption, the Sodom of our country, called Baltimore; and not, by seeking refuge here, put in jeopardy our shipping and our town, and necessitate our yeomanry, at this busy season, to leave their farms uncultivated to defend our harbor, which, were it not a place of refuge for what has been emphatically denominated *licensed pirates*, would not need a soldier to ensure its safety.”

Surgeons being deemed non-combatants, and therefore not delivered as prisoners of war, medical and clerical comforts being allowed to felons, this New Bedford ebullition was less logical than disaffected.

At all events, the British press, both colonial and metropolitan, throughout that war, bore constant testimony to the humanity, generosity, courtesy and charity of American privateersmen; from whom the lords of the ocean received lessons in kindness to prisoners, as well as in courage toward foes. In numerous instances the thanks of vanquished Britons were published, acknowledging the kindness of their privateer victors. In no instance, that I am aware of, was their cruelty or severity complained of, or censured by a press certainly not abstemious from American condemnation. In fact, the searovers of that war were licentious British commanders of ships of the line and frigates, while American privateers were mostly models of legalized hostilities. Written confessions will appear, in this chapter, of systematised plunder, pillage and depredation by officers, some of them, then or since, British noblemen and admirals, to which American privateersmen never

degraded themselves. Unlawful British depredations on American merchantmen provoked the war which armed the privateers. The British royal navy preyed on unarmed vessels, unjustly condemned in British courts, till resistance was at last roused; and before peace was restored, by memorable, and as it were providential detection, a bundle of letters, found in the cabin of a vessel of the British royal navy, gallantly boarded and captured, just as the war ended, by an American privateer, betrayed undeniable proofs of scandalous British depravity.

A few select instances of privateer hostilities will be all I shall incorporate with this narrative. They will characterise the whole, which it would require a volume to recite. American and British newspapers abounded with their details. Every theatre of marine enterprise was occupied by them. From the blockaded and beleaguered coasts of the United States, in the Atlantic, the Pacific, the West Indies and the East, on the coasts of the whole globe, in every latitude and longitude, British vessels were surprised and subdued by American privateers; great numbers sent safely into port, some ransomed, others burned. Although combat was not the privateer's vocation, yet they seldom declined it when any thing like equal terms occurred; and it was remarkably indicative of the confidence of the American seaman in his superiority, that he often fought when it was not indispensable, — fought for victory and glory as well as prize-money.

The privateers rivalled the American, and surpassed the British navy in adventure. Cries of British commerce for protection from American privateers were as loud and piercing as groans for naval defeats. The Jamaica press, in January, 1814, announced that, thereafter, the British mails for the West Indies would be forwarded by men-of-war, in consequence of the frequent captures of royal mail packets with mails. There were, altogether, fourteen mail vessels captured, three by frigates, eleven by privateers. The packets were all armed, and tolerably well manned, fought their captors, and sometimes obstinately, particularly the royal packet *Princess Amelia*, which did not strike her flag till after stout resistance to the privateer *Rossie*, commanded by Barney. The packet *Princess*

Elizabeth, after a sharp contest, taken by the Harpy privateer, of Baltimore, and ransomed, had on board a Turkish ambassador, and some British navy officers. The packet Landraile was taken in the British Channel by the Syren, privateer of Baltimore. The transport brig Doris, No. 650, from Senegal, with soldiers, fine horses, a hyæna, jackal, and other wild beasts, presents for the Prince Regent, were captured by the Grampus privateer, of Baltimore.

When a rendezvous was opened at Portsmouth, New Hampshire, for the privateer America, 300 men presented themselves in the first hour to enlist for her; the successful cruises of many privateers having excited a thirst for enterprise, distinction and gain irrepressible. Nearly 300 British prisoners were taken into Boston, by privateers, within a few weeks; and double that number, in the same time, were paroled at sea.

On the 30th of September, 1814, it was posted at Lloyd's Coffee-house, from a Paris newspaper of the 25th of that month, that "the True-blooded Yankee, American privateer, completely refitted for sea, and manned with a crew of 200 men, sailed from Brest on the 21st, to cruise in the British channel, with orders to sink, burn and destroy, but not to capture in order to carry to port."

"Liverpool, October 30th, 1814. A government vessel, laden with gunpowder, was chased into Wexford, a few days since, by an American privateer, which has prevented several vessels from sailing for that port." The privateer Comet, of Baltimore, cut several prizes out of the port of Tortola. The privateer True-blooded Yankee took possession of an island on the coast of Ireland, which she held for several days, burnt seven vessels in the harbor of a town in Scotland, and landed in France a large quantity of the richest booty, in various kinds of the finest merchandise. The privateer Tuckahoe, of Baltimore, was chased, within a short period, by no less than eight different British frigates, each of which she outsailed, or outmanœuvred. The West Indies swarmed with American privateers, and numbers from French harbors cruised in the Bay of Biscay and the British Channel. Among the goods of the valuable prize brig Falcon, sent into Bath by the privateer

America, of Salem, were 900 Bibles and 300 New Testaments, in English and Dutch, forwarded by the British and Foreign Bible Society for distribution at the Cape of Good Hope, which the owners of the privateer, the Messrs. Crowninshield, sold at very low prices to the Bible Society of Massachusetts. The Scourge privateer, Captain Perry, of New York, cruising in the North Sea, captured, sent in, ransomed or burned so many prizes, that her prisoners amounted to 420 men. In company with the privateer Rattlesnake, Captain Moffat, of Philadelphia, the tonnage these two vessels took in the North Sea, exceeded 4500 tons. On the 21st of July, 1814, the privateer Saucy Jack opened a rendezvous at Charleston, South Carolina, at eleven o'clock, for the enlistment of a crew; and before five o'clock that afternoon, one hundred and twenty able-bodied full seamen were enlisted. The Midas privateer sailed from Savannah in search of the British privateer Dash, reported off that coast, having taken three coasters loaded with cotton, all four of which vessels, including the Dash and another vessel, the Astrea, captured by the Dash, which the Midas recaptured, she took into Savannah. The Countess of Harcourt, a large, richly laden, well manned and armed British East Indiaman, was taken by the Sabine privateer in the British Channel, and sent safe into port. Fourteen vessels were taken and burned in the British Channel by the privateer Governor Tompkins, of New York, after divesting the prizes of their valuable articles. That method of preventing recapture was becoming common by both private and public cruisers, and proved a most effectual annoyance to the enemy. The privateer Kemp, of Baltimore, released one of her prizes, the brig New Frederick, bound from Smyrna to Hull, at the entreaty of an Italian lady, a passenger. The entry in the log of another privateer, after mentioning the particulars of an engagement and victory, was — “treated the prisoners like ourselves.” A London paper of the 5th of August, 1814, reported, as accounts received at Lloyd's, for their lists of recent casualties, 7 vessels captured by the United States' sloop-of-war Wasp; 2 by the United States' sloop-of-war Syren, and 99 by different American privateers, whose reception and refitting in

French ports was loudly complained of, after war had ceased between England and France. The British coasts were said to be much vexed by privateers, one of which burned, in Dublin Bay, a large ship from Bordeaux, laden with brandy.

“London, September 3. — A list was, on Wednesday last, posted up at Lloyd’s, containing a melancholy catalogue of no fewer than 825 ships which had been taken by the Americans since the commencement of the war. British vessels did not cross the Irish Channel without convoy. Insurance from London to Halifax was 30 guineas for 100.”

The Prince of Neufchatel, Captain Ordronneaux, of New York, with 33 men, including officers, at quarters, and 37 prisoners on board, was attacked near Nantucket by 5 boats of the *Endymion* frigate, manned by 111 men and officers, heavily armed, 33 of whom were killed, 37 wounded, and all the rest captured; though several of them, boarding, gained the deck of the privateer, but were beat back. The *Neufchatel* arrived safe in Boston, laden with rich spoils from several vessels she took, most of them in the British and Irish channels. The privateer *Portsmouth*, of Portsmouth, captured and sent in, after a cruise of 33 days, the ship *James*, of London, for Quebec, with dry-goods invoiced at £100,000 sterling, and other prizes, the whole sales of which, for the little more than one month’s cruise, yielded upwards of \$550,000. The privateer *Chasseur*, of Baltimore, Captain Boyle, in a cruise of three months, took eighteen vessels, many of them large ships and brigs, with valuable cargoes, paroled 150 prisoners, carrying 43 into port with him; and, while off the English coast, after many hair-breadth escapes, was once so near a frigate as to exchange broadsides with her. At another time she was nearly surrounded by two frigates and two man-of-war brigs — often chased, but easily out-maneuvred them all; though, by a ball from a frigate, she had three men wounded. Captain Boyle issued the following burlesque parody of Admiral Cochrane’s proclamation, and by a cartel sent it to *London*, with orders to have it stuck up at Lloyd’s Coffee-house.

“*By Thomas Boyle, Esq., commander of the private armed brig Chasseur, &c..*

“PROCLAMATION: — Whereas it has become customary with the admirals of Great Britain, commanding small forces on the coast of the United States,

particularly with Sir John Borlase Warren and Sir Alexander Cochrane, to declare all the coast of the said United States in a state of strict and rigorous blockade, without possessing the power to justify such a declaration, or stationing an adequate force to maintain such blockade.

"I do, therefore, by virtue of the power and authority in me vested (possessing sufficient force), declare all the ports, harbors, bays, creeks, rivers, inlets, outlets, islands and seacoast of the United Kingdom of Great Britain and Ireland in a state of rigorous blockade. And I do further declare that I consider the force under my command adequate to maintain strictly, rigorously and effectually, the said blockade. And I do hereby require the respective officers, whether captains, commanders, or commanding officers, under my command, employed or to be employed on the coast of England, Ireland and Scotland, to pay strict attention to the execution of this my proclamation. And I do hereby caution and forbid the ships and vessels of all and every nation, in amity and peace with the United States, from entering, or attempting to enter, or from coming, or attempting to come out of any of the said ports, harbors, bays, creeks, rivers, inlets, outlets, islands, or seacoast, under any pretence whatsoever. And that no person may plead ignorance of this my proclamation, I have ordered the same to be made public in England.

"Given under my hand, on board the Chasseur, day and date as above.

"THOMAS BOYLE.

"By command of the commanding officer.

J. J. STRAUSBURG, Sec'y.

The Chasseur was one of the best-built vessels afloat; excellent in her construction, equipment, armament, officers, and crew. Captain Boyle was one of those sagacious, intrepid, sober, cool and hardy sea-dogs of New England, who well deserve the eulogium of Burke, as the best seamen in the world. His blockade of Great Britain was no more unfounded than Cochrane's proclaimed blockade of the United States; nor could the maritime community have more practical and effective exposure of the monstrous assumption of England to exterminate commerce by fictitious prevention, than the actual ravages of that single privateer at the very ports of that country; the losses and terrors of its merchants; and the contemptuous ridicule by which an American privateersman tested the truth of British official assumption.

Not only the best construction, seamanship, gunnery, and other naval requirements, were maintained on board privateers, but discipline, without which all martial effort is precarious,

was well preserved, as it may not be amiss to show, by the severe punishments adjudged in one instance, which will serve for all. The discipline, order, and morality of privateers were superintended, and rigidly maintained, according to the rules and regulations for the government of the navy, and enforced by its officers. The privateer *Scourge* was a public favorite from her enterprising performances. Cruising in the North Cape, she overhauled every vessel for Archangel, sending her prizes behind a chain of islands; at the entrance of one of which the Captain of the *Scourge* repaired and supplied an old battery, strong enough to keep off cruisers. Danes took possession of, and conducted the prizes to Drontheim, so as not to reduce the crew of the *Scourge*, and Danes were hired to man the fortress. Just before the war ended, a court-martial of naval officers, presided by Captain Charles Morris, at the navy-yard in Charlestown, Massachusetts, the 10th of February, 1815, adjudged Jeremy S. Dickenson, first lieutenant of that privateer, to imprisonment, incapacity of ever holding a commission in the public or private-armed vessels of the United States; and the forfeiture of his shares in the captures made by the *Scourge*, for negligence of duty, quarrelling, and provoking and reproachful menaces, mutinous and seditious conduct. At the same time, the same court sentenced the boatswain and three seamen of the *Scourge* to be flogged, and to forfeit their share of captures, for pillaging a neutral vessel, stopped by the *Scourge* for examination, and maltreating persons on board that vessel. The government of the United States exacted from privateers conduct in strong contrast with that of British naval officers. From the first of their predatory *system* ashore and at sea, begun by Admiral Cockburn at Havre de Grace and Frenchtown in 1813, continued throughout the coasts of this whole country, and completed by the kidnapping of slaves in Carolina and Georgia, no such reprimand from the British government was ever heard of as that inflicted as abovementioned.

Complaints from Liverpool, London, Glasgow, Lisbon, the West India Islands broke forth in loud censure of the government, for its inefficient protection of British commerce from

American privateers; of which some are here inserted, as indicative of their great impression.

* London, August 22.

"AMERICAN PRIVATEERS.—The Directors of the Royal Exchange and London Assurance Corporations, strongly impressed with the necessity for greater protection being afforded to the trade in consequence of the numerous captures, that have recently been made by American cruisers, represented the Lords Commissioners of the Admiralty on Wednesday last, and on Saturday received answer, of which the following is a copy:

"Admiralty Office, August 19.

"SIR,—Having laid before my Lords Commissioners of the Admiralty, the letter of the 12th instant, signed by you and the Secretary of the London Assurance Corporations, on the subject of depredations committed by the American privateers therein mentioned, I am commanded by their Lordships to acquaint you that there was a force, adequate to the purpose of protecting the trade, both in St. George's Channel and the Northern Sea, at the time referred to.

I am, &c.,

"J. W. CROKER."

After giving the names of some vessels captured, the same paper adds —

"Should the depredations on our commerce continue, the merchants and traders will not be able to get any insurance effected, except at enormous premiums, on vessels trading between Ireland and England, either by the chartered companies, or individual underwriters; and as a proof of this assertion, for the risks that are usually written 15s., 9 per cent., the sum of 5 guineas is now demanded."

"London, September 1.—It is the intention of the admiralty, in consequence of the numerous captures made by the Americans, to be extremely strict with the captains who quit their convoy at sea, or who, contrary to orders, sail without convoy. Prosecutions of masters of ships, for neglect of this description, have already commenced, as will be seen by the subjoined extract of a letter:

"Lloyd's, August 31, 1814.—The Lords Commissioners of the Admiralty have been pleased to inform the committee, that they have given directions to their solicitor to prosecute the masters of the following vessels, viz:—" [naming them.]

AMERICAN PRIVATEERS.

"The depredations of the American privateers on the coast of Ireland and elsewhere, have produced so strong a sensation at Lloyd's, that it is difficult to get policies underwritten at any rate of premium.

"Thirteen guineas for one hundred pounds has been paid to insure vessels across the Irish Channel; such a thing never happened we believe before.

"London, September 9. — At a meeting of merchants, ship-owners, &c., at Liverpool, to consider of a representation to government on the subject of the numerous captures made by American cruisers, Mr. Gladstone proposed an address to the Lords of the Admiralty; but after many severe observations that representations had been made to that department without redress, Mr. Clear proposed an address to the prince regent, which, after warm opposition on the part of Mr. Gladstone, was carried. The address conveys a censure upon the admiralty. Subsequently a counter address to the admiralty was voted at another meeting, to which Mr. Croker replied on the 3d inst., that an ample force had been under the command of the admirals commanding the western stations; and that during the time when the enemy's depredations are stated to have taken place, not fewer than three frigates and fourteen sloops were actually at sea, for the immediate protection of St. George's Channel, and the western and northern parts of the United Kingdom.

"In the memorial of the merchants, &c., of Liverpool, to the admiralty, complaining of want of sufficient naval protection against American captures, they speak of privateers destroying vessels as a novel and extraordinary practice, which, they say they are informed, is promoted by pecuniary rewards from the American government; and they wish measures adopted to prevent, as much as possible, the ruinous effects of this new system of warfare.

"At a very numerous meeting of the merchants, manufacturers, ship-owners, and underwriters, of the city of Glasgow, called by a public advertisement, and held by special requisition to the lord provost, on Wednesday, the 7th of September, 1814, the lord provost in the chair, it was

"Unanimously Resolved, That the number of American privateers with which our channels have been infested, the audacity with which they have approached our coasts, and the success with which their enterprise has been attended, have proved injurious to our commerce, humbling to our pride, and discreditable to the directors of the naval power of the British nation, whose flag, till of late, waved over every sea, and triumphed over every rival.

"That there is reason to believe, in the short space of less than twenty-four months, above eight hundred vessels have been captured by the power whose maritime strength we have hitherto impolitically held in contempt.

"That, at a time when we are at peace with all the rest of the world, when the maintenance of our marine costs so large a sum to the country, when the mercantile and shipping interests pay a tax for protection under the form of convoy duty, and when, in the plenitude of our power, we have declared the whole American coast under blockade, it is equally distressing and mortifying, that our ships cannot with safety traverse our own channels; that insurance cannot be effected but at an excessive premium; and that a horde of American cruisers should be allowed unheeded, unresisted, unme-

lest, to take, burn, or sink our own vessels, in our own inlets, and almost in sight of our own harbors.

"That the ports of the Clyde have sustained severe loss from the depredations already committed, and that there is reason to apprehend still more serious suffering, not only from the extent of the coasting trade, and the numbers yet to arrive from abroad, but as the time is fast approaching when the outward-bound ships must proceed to Cork for convoys, and when, during the winter season, the opportunities of the enemy will be increased, both to capture with ease and escape with impunity.

"That the system of burning and destroying every article which there is fear of losing, a system pursued by all the cruisers, and encouraged by their own government, diminishes the chances of recapture, and renders the necessity of prevention more urgent.

"That from the coldness and regret with which previous remonstrances from other quarters have been received by the admiralty, this meeting reluctantly feel it an imperious duty at once to address the throne, and therefore, that a petition be forwarded to his Royal Highness, the prince regent, acting in the name and on behalf of his majesty, representing the above grievances, and humbly praying that his Royal Highness will be graciously pleased to direct such measures to be adopted as shall promptly and effectually protect the trade on the coasts of this kingdom from the numerous insulting and destructive depredations of the enemy; and that the lord provost be requested to transmit the said petition accordingly."

The merchants of St. Vincents sent a memorial to Admiral Durham, stating that the privateer *Chasseur* had blockaded them for five days, doing them much damage, and requesting that he would send them at least a heavy sloop of war; whereupon he sent them the *Barrosa* frigate, in effecting his escape from which frigate, Captain Boyle was obliged to throw some of his guns overboard.

A London newspaper, published the 16th of January, 1815, the following:

"The American privateers, which have caused our commerce to suffer so much, have had, for a long time, secret intelligence with two of the ports on the Irish coast. The number of their prizes proves the use they have made of their information, and accounts for the inefficiency of the measures taken by the admiralty."

Another London publication, of the 20th of January, 1815, stated that "letters from Lisbon, of the 30th of December, announce that the American privateers commit great depredations on the coast of that kingdom. They were uneasy about

the fate of one of our sloops-of-war near Cape St. Vincents, in a hard battle with one of the American privateers."

Besides seamanship, enterprise and gallantry, privateers—some of them even more than the public vessels of war—developed another superiority in that contest. They were mostly better built than the British vessels. When Nelson, in 1801, surveyed the build, the rig, the trim, and the manœuvres, altogether, of the first American squadron that entered the Mediterranean, his prediction of transatlantic naval prowess was a fact, as I have been assured by respectable authority. [Vol. I. p. 362]. The American ships were well *handled*, he said. From the heights of Gibraltar, the great portal of entrance between the old world and the new, marine experts of all nations perceived that American republican ships were more gracefully shaped, more agile, and swifter of movement, as they competed with the English, French, Dutch, Italian, and other vessels, in vain striving to surpass them. The American vessel was as easily recognised by her canvass, her hull, her masts, and her march upon the waves, as by her flag or signals. The nationality was obvious. From the time when Columbus and Americus, in clumsy shallops, passed those straits, till one of the largest steam-frigates of the world, the Missouri, was burned and buried there, the model, size, force, motive-power and armament of ships, both mercantile and naval, have been constantly progressive, and those of this country emulous to be behind no others. Navigated by freemen, much more subordinate and better disciplined than Turkish slaves, American vessels have always compared favorably with others; while British and American emulation has, without hostilities, stimulated both of these free nations to incessant endeavours for superior excellence. In the war of 1812, appeared those low black schooners, with tall raking masts, and wonderful facility of evolution, called Baltimore clippers, some of whose cruises and performances are mentioned in this chapter. Minding the helm as if understanding its orders, sailing close-hauled upon a wind, those sea-racers, or skimmers of the sea, distanced opponents, played round enemies with audacious ease, broke blockades, out and in again, cut prizes out of fleets and fortified

ports, performed rapid and distant voyages, blockaded, captured, burned and destroyed, or ransomed—executed admirably every act of naval belligerency. Since their day, the American pilot-boat, and finally the ocean-steamer, have maintained the progressive advancement, of which the Baltimore clipper was an early and remarkable edition. For it is one of those inexplicable circumstances, of which human events are continually furnishing new proofs, that the British navy succeeded in driving all others from the sea without excelling in ship-building. The wooden walls of England were not more impregnable than those of Holland, France or Denmark. British crews had the talisman of British superiority. French ships are said to be better constructed than English. French armament is at least equal. It enhances the naval merit of the British tar, that he vanquished the Dutch and the French at sea, without being on board a finer vessel, or with superior armament. The Baltimore clipper, the American pilot-boat, the sea-steamer, and the pleasure-yacht, have all successively borne testimony that, in the construction and navigation of vessels, the builders of this country are not excelled. Nor is it inconsiderable testimony of the value of the efforts, mechanical as well as marine, elicited by the struggle of 1812 with the mighty naval power of Great Britain, that a navy, the steam-boat, the clipper ship—all branches of marine advancement—were among its developments. Since then the contest with the mother country has never ceased or relented; not in arms, with bloodshed, or often with anger, but as the wholesome emulation of free and kindred people, vying with each other in the useful arts and advantages of civilized refinements.

Many more brilliant particulars of privateer exploits might be added to the few herein mentioned, teeming with adventurous cruises, rich captures, gallant actions, courteous and humane deportment, and altogether romantic achievements. But enough have been sketched to characterise the whole; and this chapter will be closed with particulars of two of the most remarkable of sea-fights; one of which superinduced important political results after the peace; and the other records disgraceful disclosures of the British navy, taken from it by a privateer.

The privateer schooner General Armstrong, mounting eight long nine-pound cannons, with one twenty-four pound gun on a pivot, and a crew of ninety men and officers, commanded by Captain Alexander C. Reid, sailed from New York, then blockaded, the 9th of September, 1814, on a cruise, which, after only nineteen days at sea, ended at Fayal, the port of one of the Portuguese islands of Azore. Captain Reid, on the 26th of September, put in there for water. The American Consul, John B. Dabney, facilitated the supply, which was hastily shipped, in order that the schooner might sail again next morning. Some anxiety was felt, lest any British cruisers should appear, and disregard, as they often did, Portuguese neutrality, when Portugal and England were so closely allied, that Portugal was protected from France by England. In the evening, Mr. Dabney and a party of gentlemen were entertained on board the privateer. The American consul was quieting Captain Reid's uneasiness by assurances that the neutrality of the port would undoubtedly protect his vessel, when a British brig-of-war, the *Carnation*, hove in sight, with a favorable breeze for entering the port, where the privateer was becalmed.

While Captain Reid was hastily considering whether he would attempt to elude the possibility of British molestation by putting to sea, the *Plantagenet* ship-of-the-line, Captain Lloyd, and the *Rota* frigate, Captain Somerville, came in view, to which vessels the *Carnation* made signals, which became frequent between them and the *Carnation*. As soon as the *Carnation* had been apprised by the pilot that there was an American privateer in the roads, the British vessel hauled close in to the *Armstrong*, and anchored within pistol-shot of her. Of a clear moonlight night, in that transparent climate, when every thing was plainly discernible, the *Carnation* got all her boats out and sent a message to the Commodore, which suspicious indications, induced Captain Reid to warp his vessel close to the shore, by sweeps, and to clear for action. As soon as the *Carnation* perceived that movement, her cable was cut, sail was made on her, and four boats were despatched towards the privateer. About eight o'clock in the evening, as the boats

advanced, Captain Reid dropped his anchor, got springs on his cable, and prepared for an apprehended attack. As the boats approached in dread silence, pulling toward the privateer, with every appearance of a design to attack the American, they were again and again hailed by Captain Reid, and warned to keep off. Largely manned, and formidably armed, they pushed on till they got close alongside. The Americans then fired. The British returned the fire, killed a seaman on board the privateer, and wounded her first lieutenant, Frederick A. Worth. But roughly repulsed, with twenty of their people killed and wounded, and the rest crying for quarter, the boats hastily retreated; and thus ended the first act of a desperate and bloody tragedy, afterwards renewed by the British, and continued all night.

The privateer certainly fired first, and drew the first blood. But who was the aggressor, became a question which is not yet determined. Truth, always difficult of ascertainment, is hardly ever discovered by human testimony when passions are excited by bloodshed between armed foes. The English version was, that, when the *Carnation* found the *Armstrong* in the harbor, she sent a boat with a lieutenant and a flag to learn the privateer's force; that the tide, running strong, drifted the boat to the schooner, then getting under way; that it was impossible for the boat to keep off when hailed and warned to do so, because the schooner had so much stern-way on her; whereupon the privateer fired, and killed seven men in the boat.

Whoever was aggressor, exasperated hostilities were then resolved upon. The British commodore, Lloyd, indignant at what he denounced as aggression, by gross breach of neutrality, resolved to take exemplary vengeance at once, and at all hazards, ordered the *Carnation* to move in and destroy the privateer. But as the wind was light and variable, the brig made signals to the *Plantagenet* and the *Rota* for boats, to tow in the *Carnation*. Nine boats, manned with two hundred men, commanded by three lieutenants, were accordingly despatched for that purpose; but not being able, by reason of rocks, to tow the brig in as directed, the boats proceeded, themselves, to destroy the privateer. Such is the British statement.

Whether assailant or defendant, Captain Reid, seeing that active measures were taking for his destruction, hauled his schooner close in to the shore, moored her within pistol-shot of the castle, and made preparations for the encounter, which he, too, was resolved should be desperate. The Portuguese governor and inhabitants, the consuls, American and English, and large numbers of spectators, lined the banks to witness what threatened to be an exciting conflict. After the British had combined their forces, said to amount to 400 men, picked from the three vessels, in twelve boats, armed with caronades, swivels, blunderbusses, muskets, cutlasses and boarding pikes, the *Carnation* under weigh, in order to prevent the privateer's escape, should it be attempted—all the preliminary movements for attack were made ready. The moon shone bright, the air was calm, expectation breathless—the combatants, on both sides, still as death. The privateer's men, all night at quarters, in perfect quiet, awaited the onset. At midnight, all the British preparations being completed, the boats, in close order and in one direct line, pulled for their stations, close alongside the privateer. No attempt was made to prevent their approach. With perfect self-possession, Captain Reid, his officers and men, reserving their fire till the enemy was almost at the mouths of their guns, then poured in a terrible discharge, which stunned their assailants. But, after a short pause and reconnoissance, the British cheered, returned the fire, and, bravely grappling with their foes, endeavored to board the schooner. At the order to board and give no quarter, they clambered up the bow and sides, with unwavering efforts striving to reach the decks. A furious conflict ensued, hand to hand, with pikes, swords, pistols and muskets. The privateer's second lieutenant, Alexander O. Williams, was killed; and the third lieutenant, Robert Johnson, together with the quarter-master, Barsillai Hammond, disabled by wounds.—Captain Reid the only officer left unhurt. During forty minutes of raging conflict, the eighty odd Americans, with the advantage of the deck, constantly repulsed several hundred British, defeating all their attempts to board. Of the British, by their own account, more than half were

killed or wounded, that is, 167 ; but, according to other estimates, about one-fourth of them. Two of the Rota's boats, laden with dead, were abandoned by the seventeen survivors, who escaped by swimming ashore. Three of the Rota's lieutenants, Bowerbank, Coswell and Rogers, with 38 of her seamen, were killed, and 83 wounded. The first, fourth and fifth lieutenants of the Plantagenet, and 22 of her sailors, were killed, and 24 wounded. The slaughter was dreadful. At the famous battle off St. Vincents, which conferred that title, with an earldom, on Admiral Jervis, after an engagement with a Spanish fleet, which lasted a whole day, all the British killed were 73, and all the wounded, 227. Such comparisons infer the conclusion that some of the greatest British naval victories were gained with inconsiderable loss, and much less achievement than is attributed by a public policy, which may not be unwise, but of which conflicts with American mariners rent the veil and exposed the reality.

There were moments, during the last forty minutes of furious encounter, when the issue was extremely doubtful. Several of the privateer's men went ashore ; and all the officers, except the captain, were killed or wounded. But Captain Reid never lost his stern composure. The men who went ashore took their stand on rocks, and continued to fire from them ; those on the deck shouted defiance to their sturdy foes, and at last drove them away with amazing destruction.

After the surviving British, so terribly worsted, retired to their shipping, at two o'clock at night the American consul appealed to the Portugese governor to interfere with the British commanding officer, and assert the neutrality of the port against further violation. Several houses had been damaged, and persons wounded by the British fire. The governor, therefore, sent to the commodore, entreating him to desist from such violence. But Captain Lloyd, smarting under his losses, which deprived the Rota alone of seventy of her best men and officers, and exasperated by a resistance which he did not expect, and was resolved to punish, not only peremptorily refused to stop hostilities, but declared that he would take the privateer if he had to lay the whole town in ashes. Furthermore, he gave

the governor notice that the British commander held him responsible, that his revenge should not be disappointed by letting the privateers-men destroy their vessel. If that was done, Commodore Lloyd would consider Fayal an enemy's place, and treat it accordingly.

After the commodore's rejection, with these threats, of the governor's request, at three o'clock in the morning the consul apprised Captain Reid that he had nothing to expect from that intervention, and it became certain that the schooner would be destroyed or captured. The captain then went on board of her for the last time, had the dead and wounded removed, told the crew to save whatever they could, and made preparations for destroying the schooner. At day-light the *Carnation* stood in close to the *Armstrong*, and opened a fire upon her. But it was so warmly returned, that the British brig soon drew off much injured, and sent her boats to do the work. Captain Reid's vessel being also injured, and his best gun dismounted, he scuttled her before the boats boarded, and with his people went ashore. The boats' crews set her on fire, and the privateer was burned. Two days afterwards two more British war brigs, the *Thais* and the *Calypso*, arrived at Fayal; by each of which twenty-five of the worst wounded were sent to England.

An English resident of Fayal, in a letter to Cobbett, published by him the 14th of October, 1814, thus described the closing scenes of that encounter:

"When they got within clear gunshot, a tremendous and effectual discharge was made from the privateer, which threw the boats into confusion. They now returned the fire; but the privateer kept up so continual a discharge, it was almost impossible for the boats to make any progress. They finally succeeded, after immense loss, in getting alongside of her, and attempted to board at every quarter, cheered by the officers with a shout of 'No quarter!' which we could distinctly hear, as well as their shrieks and cries. The termination was near about a total massacre.

"Three of the boats were sunk, and but one poor solitary officer escaped death, in a boat that contained fifty souls; he was wounded. The Americans fought with great firmness; some of the boats were left without a single man to row them; others with three or four; the most that any one returned with was about ten; several boats floated on shore full of dead bodies.

"With great reluctance I state that they were manned with picked men, and commanded by the first, second, third, and fourth lieutenants of the

Plantagenet; first, second, third, and fourth do. of the frigate; and the first officers of the brig, together with a great number of midshipmen. Our whole force exceeded 400 men; but three officers escaped, two of whom are wounded. This bloody and unfortunate contest lasted about forty minutes.

"After the boats gave out, nothing more was attempted till daylight next morning, when the *Carnation* hauled alongside and engaged her. The privateer still continued to make a most gallant defence. These veterans reminded me of Lawrence's dying words of the *Chesapeake*, 'Don't give up the ship!' The *Carnation* lost one of her topmasts, and her yards were shot away; she was much cut up in her rigging, and received several shots in her hull. This obliged her to haul off to repair, and to cease her firing.

"The Americans now finding their principal gun (long Tom) and several others dismounted, deemed it folly to think of saving her against so superior a force; they therefore cut away her masts to the deck, blew a hole through her bottom, took out their small arms, clothing, &c., and went on shore. I discovered only two shot-holes in the hull of the privateer, though much cut up in rigging.

"Two boats' crews were afterwards despatched from our vessels, which went on board, took out some provisions, and set her on fire.

"For three days after, we were employed in burying the dead that washed on shore in the surf. The number of British killed exceeds one hundred and twenty, and ninety wounded. The enemy, (the Americans) to the surprise of mankind, lost only two killed and seven wounded. We may well say 'God deliver us from our enemies,' if this is the way the Americans fight.

"After burning the privateer, Captain Lloyd made a demand of the governor to deliver up the Americans as prisoners — which was refused. He threatened to send five hundred men on shore, and take them by force. The Americans immediately retired with their arms to an old Gothic convent, knocked away the adjoining drawbridge, and determined to defend themselves to the last. The captain, however, thought better than to send his men. He then demanded two men, which he said deserted from his vessel when in America. The governor sent for his men, but found none of the description given.

"Many houses received much injury, on shore, from the guns of the *Carnation*. A woman, sitting in the fourth story of her house, had her thigh shot off; and a boy had his arm broken. The American Consul here has made a demand on the Portuguese government for a hundred thousand dollars, for the privateer; which our Consul, Mr. Parkin, thinks, in justice, will be paid, and that they will claim on England. Mr. Parkin, Mr. Edward Bayley, and other English gentlemen, disapprove of the outrage and depredation committed by our vessels on this occasion. The vessel (a ship-of-war) that was despatched to England with the wounded, was not permitted to take a single letter from any person. Being an eye-witness to this transaction, I have given you a correct statement as it occurred."

Captain Reid reduced to writing a full statement of this transaction in a protest before the Consul, Dabney. The Portuguese authorities strongly condemned the conduct of the British; and the matter has been, ever since, the subject of demand by the American government against that of Portugal for indemnity. Latterly it has been involved in some difficulty by positive accounts of British deponents that the Americans were alone to blame as aggressors; and by umpirage, indicative of the strange vicissitudes in human affairs. Mr. Daniel Webster, as Secretary of State of these United States, after controversy with the Portuguese government, involving some British testimony, feeling and influence, has, by arrangement with Portugal, referred the matter to the arbitrement of the French republican government. Thus Napoleon's nephew and his ministers will determine a question with which my narrative need not deal, as it is confined to the conflict without close regard to the disputed aggression.

On his return home, Captain Reid, arriving at Savannah, and travelling north, was welcomed and fêted as one of our naval heroes. At Richmond, particularly, he was honored by a public entertainment, attended by the Governor and other distinguished Virginians. Andrew Stephenson, Speaker of the Virginia House of Delegates, presided. Among the toasts were, "The privateer cruisers of the United States, whose intrepidity pierced the enemy's channels and braved the lion in his den." "Barry and Boyle, and their compatriots, who have ploughed the ocean in search of the enemy, and hurled retaliation on his head." The Vice-President, William Wirt's toast was, "The memory of the General Armstrong; she has graced her fall, and made her ruin glorious." Kentucky, without a seaport or seaman, but uniformly ardent in support of the war, addressed, through her patriotic governor, Shelby, a letter to Captain Reid, dated Frankfort, May 8th, 1815, in which the venerable hero of two wars strongly and cordially made known his own and his fellow-citizens' sentiments on a conflict "which," he said, "placed the American character in a prouder view than any other during the war. We are not less indebted," added Governor Shelby truly, "to the

officers and crews of our private armed vessels than to the navy for the rich harvest of glory we have found on the ocean, where we had much to dread. Instances of talents, skill, discipline, and of determined, unconquerable bravery, have been manifested by our privateersmen. Though I have no reason to believe that the nation is not fully impressed with the gratitude due to this class of heroes, yet I have regretted that there have been so few demonstrations of that sentiment." From an inland state, such applause and encouragement were as generous as just.

To complete the sketch of privateer hostilities, it remains to contrast the gallantry and chivalry of private with the ignoble depredations of public vessels of war; undeniably proved by scandalous confessions of British naval officers, captured, as the war closed, in a vessel of the royal navy, which struck her flag to an American privateer of inferior force.

Soon after peace, but when the treaty still allowed certain hostilities by sea, on the 20th of March, 1815, the privateer *Chasseur*, of Baltimore, Captain Thomas Boyle, returned there from a successful cruise in the West Indies, with a full cargo of dry-goods, and sundry other valuable articles, taken from three British captured ships. On the 26th of February, 1815, off Havana, after a sharp action of eight minutes, within pistol-shot, Captain Boyle subdued the British warschooner *St. Lawrence*, commanded by Lieutenant James R. Gordon, of the royal navy, with a crew of seventy-five men, besides a number of soldiers, marines and naval officers, on their way from Cockburn's squadron to inform Cochrane's fleet, off New Orleans, of peace, of which Lieutenant Gordon carried the account. The British vessel, of greater force than the American, had 15 killed and 23 wounded; the privateer, 5 killed and 8 wounded. No action, throughout the whole war, told more emphatically American nautical superiority in seamanship, bravery, gunnery, and, above all, gentlemanly humanity. The English schooner concealed her men and force to surprise the American, and when close aboard, opened a whole tier of guns, which threw broadsides twice as heavy as the privateer's. But after a very few minutes of the

fiercest fire, just when Captain Boyle ordered his men to board, and his prize-master, Mr. W. N. Christie, actually got on board the enemy, her flag was struck, and she was found to be a complete wreck, her hull and rigging cut to pieces, and every officer either killed or wounded. Thus disabled, at the entreaty of her acting commander, the British vessel was sent by Captain Boyle as a flag of truce to carry the wounded into Havana, Lieutenant Locke leaving with his captor a written statement, addressed to British commanders as what it termed "a tribute justly due to the humane and generous treatment of himself and the surviving officers and crew of his Britannic Majesty's late schooner, the St. Lawrence, by Captain Boyle, whose obliging attention and watchful solicitude to preserve the effects of the vanquished, and render them comfortable, justly entitle him to the respect and attention of every British subject."

Outdoing the royal British navy in gallantry and humanity, that capture detected undeniable evidence that plunder was a principal stimulant to British naval enterprise, and depredation its daily sustenance. The St. Lawrence, sailing express from Cockburn's detachment of the enemy's fleet to Cochrane's, charged with many letters from the former to the latter, which, in the hurry and consternation of their capture, the bearers had neither time nor self-possession to destroy. Those disgusting documents, found in the cabin of the St. Lawrence, betrayed admirals, nobles, gentlemen and knights engaged in paltry rapine, and extensive devastations. War lawfully entitles victors to spoils. Acquisition of wealth by conquest induces exploits, and is their legitimate reward. But the predatory *system* of the British in this country was contrary to recognised regulations of hostility. One of the letters taken in the St. Lawrence was from Admiral Cockburn to Captain Evans, dated Head-Quarters, Cumberland Island, February 11th, 1815, which, after deploring the defeat at New Orleans, adds, "We have been more fortunate here, in our small way. We have taken St. Mary's, a *tolerably rich place*, and with little loss have managed to do much damage to the enemy, and we are now in tolerable security, on a large fertile island in Geor-

gia, though an ugly account of peace being signed (the particulars of which I have sent to Sir Alexander Cochrane), seems to promise a speedy dismissal to us from this coast." Cockburn's regret at peace and his haste to anticipate it, when apprehended, by extensive plunder, by his last incursion, by confessions of his officers, was shamefully unworthy the navy of which he was a distinguished chief. From a fleet of two 74-gun ships, four frigates, and several transports, between one and two thousand land-troops, black and white, early in January, 1815, landed under Cockburn at Cumberland Island, Georgia, there to repeat the excesses of those freebooters on the shores of the Chesapeake. Cochrane having failed by his proclamation to excite the slaves to revolt, the alternative was to kidnap, as booty, as many as possible. At St. Simons, Cockburn captured 551 of that uncommon plunder, which, after peace was established, he and Admiral Cochrane, officially called upon, refused to restore; and subsequent negotiations, treaty, and Russian umpirage, became necessary to get indemnity for them.

As Cockburn overcame General Ross's scruples against venturing to Washington by inducements of pillage, so other letters, taken in the St. Lawrence, show that while conquest was the pretext, plunder was the rabid purpose of his landing in Georgia: British officers, naval and military, speculating like pedlars on their gains by unlawful means.

J. R. Glover's letter to Captain Westphall of the Anaconda, dated Head-Quarters, Cumberland Island, February 1, 1815, stated —

"We have established our head-quarters here, after *ransacking* St. Mary's, from which we brought property to the amount of fifty thousand pounds, and had we two thousand troops we might yet collect a *good harvest* before *peace takes place*. My forebodings will not allow me to anticipate either honor or profit to the expedition of which you form a part, and I much fear the contrary, yet most fervently I hope my forebodings may prove groundless. The admiral (Cockburn) is as active as ever, and success in general attends his undertakings."

The admiral's last successful undertaking, estimated by this follower at fifty thousand pounds, was the plunder of human

beings. In the short interval to elapse between the *ugly* account of peace he deprecatcd and its ratification, Cockburn had no idea of legitimate hostilities, but of pillage. Not long after his first ignoble depredations in Maryland, in the spring of 1813, the High-Flyer British tender was captured by the President frigate, in which prize were found Cockburn's own minutes of his own piratical notions of naval warfare. When his marauding began at the head of the Chesapeake, the character of his landing and conduct at Frenchtown was thus registered in his log-book entry, dated April 29, 1813:

"The expedition returned, after having effected its purpose, carried a five-gun battery, and *destroyed the town*, landed the marines, and *got a stock of bullocks off*.

"April 30. — Employed during the day in taking bullocks down to the Maidstone (frigate.)

"May 1. — Employed carrying bullocks down to the Maidstone.

"May 3. — Weighed and stood into Havre de Grace, to support the boats destined on the attack, under Rear-Admiral Cockburn. * * * *Burnt the town*, and proceeded to destroy a cannon foundry on the coast. * * * At sunset the boats returned *with a good share of plunder*.

"May 5. — At sunset weighed and stood up the Sassafra river, to protect the boats in the attack on Georgetown and Fredericktown.

"May 6. — The boats returned *after a total destruction of the two towns*."

Havre de Grace was an insignificant, unarmed village; Frenchtown, Georgetown, and Fredericktown, small unarmed hamlets, paraded as Admiral Cockburn's conquests, "*totally destroyed*;" whose hostilities, from the first, in 1813, as described by himself, to the last, in 1815, were not civilised or legitimate warfare. His first official report to Admiral Warren, the 29th of April, 1813, giving an account of his attack on Frenchtown — where there were but three houses — stated the destruction of five vessels near that place. His second, the 3d of May, 1813, after his petty depredations of Havre de Grace, avowed his unwarrantable system to punish resistance — not merely to overcome, but punish it. "Setting fire," he said, "to some of the houses, to cause the proprietors who had deserted them and formed part of the militia who fled to the woods, to understand and feel what they are liable to bring upon themselves by build-

ing batteries, and acting towards us with so much useless rancor. The boats sent up the Susquehannah, destroyed five boats and a flour store." At Georgetown and Fredericktown, his third report stated that the whole of those towns were destroyed in consequence of much resistance, "except the houses of those who remained peaceably in them, and took no part against us." At Havre de Grace, one of his trophies taken from the residence of Commodore Rogers, was his sword, perhaps lawful prize — though retaken — and his carriage, which was surely unmanly spoliation by one sea-officer of another, though an enemy.

Depredation was the system of the British navy in the American waters. Captain Epsworth, of the *Nymph* frigate, exacted fifty dollars from a fishing-smack, as ransom for letting the unoffending fisherman go. Captain Lloyd, of the *Plantagenet* ship-of-the-line, (whom we have seen at Fayal,) captured a vessel which was carrying an organ for an Episcopal church in New York, and would not release the prize till paid two thousand dollars ransom for the organ.

One of the letters taken by the *Chasseur* on board the *St. Lawrence* was from Captain Napier, of the *Euryalus* frigate, to Captain Gordon, of the *Seahorse*, as follows :

"Off Cape Henry, June 21, 1814.

"Here I am, in Lynnhaven Bay, the clippers sailing every day, and losing them for want of fast sailers. All our prizes are well disposed of. I have had a good deal to do with them, and not many thanks, as you may suppose, from the agents. I have petitioned the Prince Regent in behalf of the whole of us for *a good slice* of prize-money, and hope to succeed. You, I suppose, will not be displeased at it. Excuse this hasty scrawl,—I am in a d——d bad humor, having just returned from an unsuccessful chase."

Captains Gordon and Napier commanded the *Seahorse* and *Euryalus* frigates, which pillaged Alexandria. Napier has since commanded the British Channel fleet; and lately made himself more than supremely ridiculous by impertinent solicitation for the command of the Mediterranean fleet.

A letter taken in the *St. Lawrence*, dated February 19th, 1815, Cumberland Island, from J. Gallon to J. O'Reilly, on board H. M. ship *Tonnant*, off New Orleans, ran thus :

"We have had fine fun since I saw you. What with the *Rappahannock*,

and other places, we have contrived to *pick up a few trifling things, such as mahogany tables, chests of drawers, &c.*"

Two others of the captured letters were as follows :

"From Colonel Malcolm to Rear-Admiral Malcolm.

"Cumberland Island, 5th February, 1815.

"I received your letter of the 5th ultimo; it is written before your last attack on the place, but I most sincerely hope you will ultimately succeed. From all accounts, New Orleans is not strong. The enemy will have a new confidence in themselves from their success. What a disappointment it will be, in England, should you fail! The chance of failure has not been calculated on; and, from the force employed, it has been made too sure from the first. I have no opinion of either the Indians or *black new-raised corps*; the former, in this country, carry on a most furious war; *murder and desolation mark their track*; there is no hope but flying or resistance to the last moment of life; this is what every one says of the Florida Indians. Of course the inhabitants, of all descriptions, would fear to come near you. There is a report here that neither the 21st or 44th regiment behaved well—but as a report I treat it. I should be sorry to hear two British regiments slurred in an attack."

"From Colonel Malcolm to Rear-Admiral Malcolm.

"Cumberland Island, 11th February, 1815.

"I hope we may hear from you in a short time, and of your success against the place you are now before (New Orleans) — *It will repay the troops for their trouble and fatigues!* I do not expect, either war or peace, that we will move from this island this winter: if war goes on, a garrison must be left here in charge of the island."

Sir Thomas Cochrane, of the *Surprise* frigate, wrote to Captain Pigot, off New Orleans, dated Cumberland Island, February 12th, 1815:

"I came here just two days too late to share in the good things going on. Old Somerville was senior, and ordered the attack on St. Mary's, which Barrie *executed*. The prize-money will be about thirty thousand pounds, *not more*. Had our force been sufficient, our next movement would have been Savannah; but, not mustering above a thousand bayonets, we are content to keep possession of this island, which we are placing in a state of defence. Our operations will, I suppose, shortly be put a stop to by our friend *Jimmy Madison*, as peace or war now depends on him—the Commissioners at Ghent having signed, and the Prince Regent ratified the terms of a peace, and hostilities will cease so soon as he does the same. We hope, in the meantime, better luck will attend you at New Orleans than

has hitherto done, and that you will have time to give General Jackson a trimming."

Sir Thomas Cochrane wrote, also, to Sir Thomas Trowbridge, off New Orleans, from Cumberland Island, February 12th, 1815:

"I hope this will reach head-quarters in time for the St. Lawrence, who sails immediately for your part of the world with the news of peace being concluded with this country, but of which, I should think, you will receive earlier intelligence direct from England. We are in daily expectation of a flag of truce to inform us of Mr. Madison's having ratified the treaty, on his doing which hostilities will immediately cease. I confess myself by no means sorry for this event. I think we have had quite enough of war, for some years to come; although I should have wished to make the Yankees more sensible of our power and ability to punish them, should they again provoke us. *As it is, except the injury done to their trade, we have little to boast of.* We are all very much grieved to learn the disasters in your quarter. Our loss seems to have been immense; and, from the reports we pick up, one is led to believe there was not much prospect of success at the commencement of the attack. We are most particularly unfortunate in our general officers on all occasions. I am afraid General Power, and the regiment with him, will not be with you in time to render any service. He was at Bermuda on the 24th ultimo, at which the Statira had not arrived.

"I came here six weeks ago, and found St. Mary's had been taken two days before my arrival, which, of course, *cuts me out of what has been captured.* Barrie commanded the party landed; old Somerville was senior officer, the Admiral having only arrived the day before me, in consequence of being blown off the coast by strong north-west gales, on his way from the Chesapeake. It was at first supposed, as is usual on these occasions, *that a great deal of money would be made; but if they clear thirty thousand pounds, it will be as much as they will do.*"

Another captured letter, from Mr. Swainson to Lieutenant Douglas, of H. M. brig *Sophie*, off New Orleans, dated 9th of February, 1815, boasted:

"We had some fine fun at St. Mary's; the bombs were at the town and had *plenty of plunder.* How are you off *for tables and chests of drawers, &c.?*"

The last I shall quote of these disgraceful disclosures was from John Miller to Mr. Thomas Miller, 75 Old Gravel Lane, St. George's, East London, dated H. M. ship *Lacedemonian*, off land, February 12th, 1815.

"We have lately been employed with the squadron under Admiral Cockburn, and have taken Cumberland Island, and the town of St. Mary's, from the Yankees. Our troops and sailors behaved very well; part of the black regiment employed on that service acted with great gallantry. Blackey had *no idea of giving quarters*; and it was with difficulty the officers prevented their putting *the prisoners to death*. The Yankee riflemen fired at our men in ambush. Blackey, on the impulse of the moment, left the ranks, and pursued them in the woods, fighting like *heroes*. A poor Yankee, *disarmed*, begged for mercy. Blackey replied, '*he no come in bush for mercy,*' and immediately shot him *dead!*'"

Accounts of the vanquished and spoliated are often exaggerated. But it is certain that the British land depredations, in that war, were extremely base. At St. Simon's, a well-authenticated statement showed that, besides the slaves and cotton, they took everything they could lay their hands on: cotton-seed, old iron, leather, tanned and untanned, wine, liquors, soap, candles, poultry, plate, a stock-buckle, pocketed by an officer named Horton, a carpet, some books, a razor, part of a barrel of flour, by a Lieutenant de Thierry; medicines, paints, handsaw files, taken by a commander Ramsey, and spoons; destroying whatever furniture they could not take away, and actually scraping the quicksilver from the backs of broken mirrors.

If such ignominious pillage were not proved by detected written acknowledgments of the perpetrators, it would be incredible. No American proof would be sufficient to substantiate it. And though many years have elapsed since these depredations, yet their undeniable occurrence is part of the events of that contest, which, not to expose, would be historical infidelity. On Lord Brougham's motion for thanks to Lord Ashburton, for his treaty at Washington (1843), that distinguished Briton ably recapitulated some of the too many causes of bitter estrangement between the American and British people. It is the very general and well-nigh universal hope, on this side of the Atlantic, that it may give place to reciprocated respect and kindred regard, of which, latterly, there are, for the first time, soothing British indications. But the barbarous methods of hostility avowed and ordered by government, as well as practised by both navy and army in

the war of 1812, should be kept in recollection, to prevent their recurrence. Although inextinguishable aversion to England may still rankle in the bosoms of a portion of the American population, a great majority of the best yearn with English reverence and attachments.

When peace was declared, and Christopher Gove, chosen to succeed Caleb Strong, as governor of Massachusetts, stated to the Legislature of that state, that it was "owing to the forbearance and clemency of the British that we were permitted to have a single ship on the ocean," there were sixty American privateers at sea, many of them from Massachusetts, together with the frigate *Constitution*, the sloop-of-war *Wasp*, *Peacock*, and *Hornet*, and the brig-of-war *Tom Bowline*, distinguished by constant victories, numerous prizes, and altogether doing great damage to the commerce and naval renown of Great Britain. Seven thousand of the best seamen in the world, better trained, organised, and much more formidable than they ever had been, were careering throughout every ocean, to render 1815, if peace had not disarmed them, much more injurious to the no longer lords of the water-realms than American cruises proved in 1812, '13, and '14, by seldom failing successes. Above all, England by that war made the United States a naval power. Three ships-of-the-line, and several frigates and sloops, were nearly finished and ready for sea when it ended, without counting those on the lakes. British fleets in vain blockaded every coast, and traversed every sea: blockades were broke by American vessels, private armed and public, which out-sailed, out-mancœuvred, and out-fought their still mighty foes. So closely watched were our ports by superior force, that American cruisers mostly inaugurated by exploit what was consummated by victory. The elements were first overcome, and then the enemy, by those adventurous mariners, whose only chance of putting to sea was by taking leave in a hurricane or snow-storm, some tempestuous night, when winter-cold froze the ropes and covered the decks with ice. Only when the blockaders were momentarily blown off the coast, or their vigilance and activity petrified by intense weather, could the American vessels emerge; and though some few were captured, yet the

proportion lost was small compared with the successful. Even merchant vessels managed, by the superior sobriety and sagacity of their officers, and their familiar knowledge of the ocean, to escape the numerous hostile cruisers, which covered the ocean. Four American ships, richly laden with teas, silks and other precious products of China, sailed from Canton, when strictly watched by British vessels, which they eluded, and three of them arrived safe at Boston on three successive days. Twenty-seven vessels got to sea from Baltimore during the winter of 1814-15. At all events, the moral of triumph was hardly ever disturbed. If the merchants and leading men of Massachusetts had not opposed the war, and the marine enterprise of that seafaring commonwealth had been united with that of its fishermen, whalers, and other élite of the sea, still greater must have been the naval glory of the country, and much less the discredit of Massachusetts.

Soon after the peace, accounts were stated and published in England and America, of the captures, successes, and defeats of each nation during the war upon the ocean: the English by parliament reports, the American only by individual ascertaintments; still the American as precise, correct, and credible, with less motive to misrepresent. These accounts do not discriminate, in the amount of prizes, between those taken by private and by public armed vessels. By ours, the captures from the English were 2360, of which allowing 750 to have been recaptured, there remained a total of 1610 prizes of private vessels made and secured, either burnt at sea or sent into port, by the Americans from the English. That is the American account. The British parliamentary report of American vessels taken by British was 1328. By the British account they took 18,413 American prisoners. By the American account, we took 24,000 British. On board the public vessels of war, according to the American account, there were 625 British killed, 1032 wounded, 2929 made prisoners, altogether 4367. By the same American account, there were killed, on board the American public vessels, 274, wounded 562, prisoners 1111, altogether 1749. The killed, wounded, and captured British were, therefore, nearly twice as many as the Americans. Sixty-

five British national vessels were captured; that is, vessels-of-war and king's armed packets. The British reported 42 American public armed vessels, captured at sea and on the lakes. The frigate Chesapeake and brig Argus were the only two American vessels of war subdued by any thing approaching to equality of force; and in neither of those misfortunes was any naval character lost, but the contrary. In all the other naval engagements, ship to ship, and squadron to squadron, the British were vanquished by the Americans, twenty-one of the twenty-three times they fought; with rapidity and disparity of destruction indicating indubitable superiority. The frigates President and Essex, and the squadron of boats on Lake Borgne, overpowered by numbers, far from diminishing, much augmented the solid columns of American naval power; which rose from the Atlantic, the Pacific, the British seas and the American lakes, acknowledged monuments of national strength, overshadowing adversaries at home as well as foreign enemies. The construction, equipment, and management of fighting vessels under sail, demonstrated by that trial, more than compensated for the cost and sufferings of a much longer and harder war. Impressment was practically abolished, with ample indemnity for the ignominious past and security for the glorious future. At the same time, Fulton, discountenanced in England and France, launched steamboats on the Hudson and Ohio, whose since-established superiority over English steamers by sea, is much owing to the energy and rivalry of that struggle—sanguinary conflict having given place, probably for ever, to that commercial freedom and competition which enriches and approximates both nations.

A frigate, three sloops, and one brig-of-war, manned by a thousand men, with batteries of one hundred and twenty guns, were abroad upon the ocean, defying British might, when the war closed. Thirty-six known privateers, carrying three hundred and fifty-seven cannons, manned by more than three thousand seamen, besides some thirty more privateers unknown, estimated as carrying three hundred and fifty cannons, and manned by twenty-five hundred seamen; altogether not less than eight thousand seamen, with eight hundred cannons;

in the winter of 1814-15 traversed the ocean in all quarters, every vessel better manned, equipped, and managed than those which in 1812, '13, and '14 had done so much to inspire exploit, stimulate adventure, illustrate achievement, and effect peace. Of these American sea-forces, regular and volunteer, the sea-militia, in private-armed vessels, constituted five-sixths of the power, did a large part of the execution, and are entitled to their full share of historical acknowledgment.

This memento of privateer contribution to the triumphs of the war and the freedom of the sea, would not be complete without adding that, long after it ended, in 1824, the American government offered to sacrifice that arm of its force on the altar of peace. Those founders of democracy, Franklin and Jefferson, returned from Europe disgusted with *all* war. By their treaties they endeavored to cut off as many as possible of its supports, and, among the rest, private-armed vessels, which, as regular soldiers treat militia, naval officers, especially the English, disparage as mere depredators. Accordingly, after the peace, Quincy Adams, as President, and Monroe, as Secretary of State, proposed, through Mr. Rush, then minister, to the British government the total abolishment of all private war on the ocean; that in no future war should the United States or Great Britain employ privateers, nor molest merchant vessels, but that hostilities by sea should be confined exclusively to national vessels-of-war, as hostilities by land at least profess to respect private property. The British government at once rejected a proposal which, if accepted, might have almost extinguished war by sea.

What was, in this country, called the Dartmoor massacre was a distressing and aggravating close to our maritime relations with Great Britain. During the war, remonstrating correspondence took place between Reuben G. Beasley, the American agent in England for prisoners, and the government there, and between John Mason, American commissary, and Thomas Barclay, British agent for prisoners in this country, concerning alleged ill-treatment of American prisoners by their English captors. No assertion, I believe, was ever made of American ill-treatment of English prisoners. Prisoners are

often treated rigorously by inferior keepers, even though their superiors and orders may be merciful. Captivity is a hardship of which complaint is one of the few alleviations.

From Halifax, complaints by American prisoners induced the American commissary to remonstrate with the British agent, which, after a good deal of controversial correspondence, ended by some English amelioration of prisoners' treatment at that station and on Melville Island. Privateering, under British denunciation, was treated as disreputable warfare, though practically no more so, if so much, as that of the British royal navy. The prisoners taken from American vessels captured, especially privateers, were therefore treated with great severity, in British vessels afloat, in prisons, hulks, and ashore. Of the 7000 British prisoners confined in Massachusetts, under care of the United States' marshal, only three of those not wounded died; whereas in Melville Island, in twenty months, 300 American prisoners died in the hospital; and, as was alleged, from want of proper attention by John Cochet, (once a captain of the navy,) the superintendent there of prisoners, who was uniformly represented by them as inhuman and merciless. McDonald, too, the Scots surgeon at Melville Island, was said, by the prisoners, to be a brutal and hateful person. It is part of the history of that war, that while all British prisoners were uniformly and universally treated with great humanity and indulgence, American prisoners were severely dealt with in whatever British place of confinement it was their misfortune to fall. Numerous publications of these facts were made by many prisoners, signed by responsible names, on both sides. Every one of the American victories, by sea and land, without exception, was followed by acts of exemplary kindness to British prisoners; for which public thanks were given by the enemy after the battles of Lake Erie, Lake Champlain, New Orleans, Little York, and on several other occasions. Whereas such acknowledgments from American prisoners to British captors were rarely, if ever, awarded; and only because not due; for the natural American inclination to applaud what is English seldom fails to appear when it may. American seamen averred that they were hardly treated in order to induce

them to ship in British merchantmen, whence they could be easily transferred to ships of war.

By the third article of the Treaty of Ghent, all prisoners of war taken on either side, as well by land as by sea, were to be restored as soon as practicable, on paying the debts which they had contracted. Some months after the peace of Ghent, and before it was quite settled what was meant by the stipulation to *restore* prisoners confined respectively, Americans in Europe, and Englishmen in America, a lamentable massacre occurred at Dartmoor, where American prisoners were confined in England, which excited much American sympathy and indignation.

Impressment of Americans by English was undeniably a shocking outrage, for which, when war was declared, England deemed the United States qualified by weakness, and having long suffered it. The Dartmoor massacre was an aggravating end of that hard beginning; by which the original and intolerable injustice of impressment and stripes was finally embittered by bloodshed and cruel homicide.

When the war broke out, the native American sailor who had been forced, by impressment, into a British vessel of war, was allowed none but the stern option of either remaining there and fighting against his countrymen in arms, to resist impressment, or being given up as a prisoner of war, to the misery of indefinite confinement in a prison-ship, or prison ashore. One and all preferred the latter, as the least of the two evils. After long and painful incarceration, several were shot to death, and others maimed and mutilated, for impatience to be set free when war was over. Nearly 6000 American, together with 10,000 French prisoners, were confined at Dartmoor; of whom it was said that one-half of the Americans, no doubt many, were impressed men, transferred from British vessels, when hostilities began, to the condition of prisoners of war. That sequel of original wrong was a deplorable homicide, of which some account belongs to history. The war provoked by impressment, and waged in vindication of those who suffered by that enormity, closed, some time after peace was ratified, by a memorable catastrophe, a consequence of the

original wrong; which it is due to the seafaring sufferers briefly, but without extenuation, to commemorate, as they have no historian of their own.

Seventeen hundred feet above the sea's level, in a bleak and barren part of Devonshire, fifteen miles from Plymouth, and not very far from Dartmouth, Weymouth, Sidmouth, and other English ports, was Dartmoor fortress, appropriated for the custody of prisoners of war. In the midst of a dreary, uneven and uncultivated waste, without trees, plantation or improvement for many miles, it seemed to sympathize with the gloomy solitude of dismal incarceration inflicted, not upon malefactors, traitors, or assassins, but on brave soldiers and daring seamen, who, fighting for their country, unfortunately fell into captivity. Climate uncongenial with American constitutions, moist, wet, and cloudy, owing to great elevation from, and proximity to, the sea, for nine months of the year afflicted with catarrhs, rheumatisms and consumptions, the ill-clad, some of them almost naked, prisoners, ill-fed and ill-lodged, exposed to some of the worst influences which can act upon human happiness and health. Seven prisons, each calculated to contain from 1100 to 1500 men, were superintended by an agent of the transport office, Thomas G. Shortland, a captain of the royal navy, with George McGrath, as surgeon of the hospital. The guard consisted of 2000 well-disciplined militia, from the neighbouring county of Somerset, and two companies of royal artillery. All the seven prisons are built of stone, and surrounded by two strong inner walls; the outer wall a mile in circumference; the inner walls surmounted with military walks, on which the sentinels performed their watchful rounds day and night. Within the inner wall are iron palisades, ten feet high, and several guard-houses against the outer wall; houses for the superintendent, surgeon and turnkeys, and a market-place, into which the neighbouring country-people brought their supplies. The fare was not bad. The surgeon was humane and kind. But the superintendent was complained of by the prisoners, and probably found it difficult to please such crowds of unemployed captives, part of whose few enjoyments was repining. After the peace between the United

States and Great Britain, the Americans became extremely restless and impatient. Never very submissive or resigned to their hard fate, they meditated emancipation with constant and increasing restlessness when it was impossible to escape, not only by reason of the bars, bolts, and other restraints of their prison; but beyond it, what could they do, whither go, or upon what subsist? — scarcely clothed, many of them bare-footed, without means of procuring food, clothing or lodging, unarmed, and surrounded by British soldiers and sailors, provided with all the means and power of compulsion. The American prisoners complained not only of their British keeper, but also of their American agent, Reuben G. Beasley, whom they accused of neglect of their sufferings, and indifference to their fate. But Mr. Beasley was much esteemed by his own government, which continued him, long after the war, in the consulate of Havre, where, as in England, his established character was that of an intelligent, resolute and useful public officer. The American prisoners had no good reason to complain of him, although they were under a different impression. Captain Shortland, too, the British superintendent at Dartmoor, was probably less to blame than the American prisoners supposed. Restless, audacious, and sometimes turbulent, it was difficult for him to keep them in order, without some rigor. They had no reason to complain of their fare, nor was their treatment generally harsh or unjustifiable. But several irksome months elapsed after peace before their enlargement, for which they became extremely impatient.

Mr. Adams, Mr. Clay, and Mr. Gallatin, were negotiating, in London, with Frederick J. Robinson, Henry Goulburn, and William Adams, the commercial convention between the United States and Great Britain, signed by those gentlemen on the 3d of July, 1815, when the Dartmoor massacre occurred on the evening of Friday, the 6th of April. The American prisoners, excited by mingled impatience and gratification at peace, insisted on speedy enlargement. Ten thousand French prisoners, with characteristic hilarity, though some of them had been much longer imprisoned than any of the Americans, and worse treated (and their war, too, was over), submitted —

gay, frolicsome and harmless. The grave and less submissive Americans, more difficult to manage, were perhaps not free from blame in the controverted, but, at all events, deplorable and fatal transaction, by which six or eight of them were slain, eighteen or twenty wounded, and several badly mutilated. Whilst Thomas George Shortland, the naval commander, and Major Jolliffe, of the Somerset militia, were finishing their dinners, many of the American prisoners, towards evening, on the 6th of April, were playing ball against an outward enclosure. Some of them made a hole through it, as they affirmed, to go and recover the ball that had fallen over, but, as their British keepers apprehended, to effect their escape. The alarm-bell was rung, the drums beat to arms, the prisoners were driven in with charged bayonets by the military, fired upon, when they resisted or delayed to retire; and, after they were driven, or retired, to their respective quarters, were then barbarously shot there, through the windows, and as was agreed, on all hands, unjustifiably. Whatever doubt or controversy involved the beginning of the fray, the British government acknowledged that, after the prisoners were driven or retired into their prisons, the individual firing of the militia, through the doors and iron-grated windows, by which several prisoners were killed and wounded, was unpardonable homicide. A committee of the prisoners drew up a report, severely criminalizing their keepers. But an inquest of neighboring farmers returned a verdict of justifiable homicide. Correspondence on the subject ensued between Mr. Clay and Mr. Gallatin and Lord Castlereagh, who expressed to them the great regret of the British government, and proposed that either Mr. Clay or Mr. Gallatin, with one of the British ministers at Ghent, should repair to Dartmoor, ascertain the circumstances, and make a joint report thereupon. Mr. Clay and Mr. Gallatin not thinking proper, unauthorized, to undertake that function, suggested Mr. Beasley for the purpose; who also declined, as too much occupied with his other duties. A young American in London, Mr. Charles King, son of Rufus King, formerly American minister there, was then requested by Messrs. Clay and Gallatin, and undertook, together with

Francis Seymour Larpent, appointed by the English government, to ascertain and report the facts. After examining some eighty witnesses, King and Larpent reported, on the 26th of April, a statement somewhat criminating, but yet exonerating, the British; which, on the 22d of May, 1815, Lord Castlereagh communicated to Mr. Clay and Mr. Gallatin, with assurances how deeply the Prince Regent lamented the consequences of the unhappy affair, and his desire to make compensation to the widows and families of the sufferers. The Regent's disapprobation of the conduct of the officers of the Somerset militia, to whose want of exertion, calling for the most severe animadversion, the extent of the calamity was ascribable, was also at the same time made known by the British secretary, through the American ministers, to their government.

Mr. Adams, whose English mission commenced with that untoward occurrence, much regretted by both governments, deprecating any additional or fresh cause of ill-blood, intimated to Lord Castlereagh that Captain Shortland and Major Jolliffe ought to be put on their trial, as some atonement to this country; which his lordship adroitly evaded by saying that, as they would certainly be acquitted, that would only make matters worse than ever. All that was done, therefore, after investigation, was formal expression of regret.

On the 23d of June, 1815, Mr. Adams communicated Lord Castlereagh's letter to our government; Mr. Adams regretting that Captain Shortland had not been brought to trial. On the 3d of August, 1815, Anthony St. John Baker, British chargé d'affaires, in a letter from Philadelphia, repeated Lord Castlereagh's regrets, with the offer of compensation to the families of the sufferers. The firing, he said, appeared to have been justified, at its commencement, by the turbulent conduct of the prisoners; yet want of steadiness in the troops, and exertion in the officers, called for the most severe animadversion. Mr. Monroe did not answer Mr. Baker's letter for several months, not till the 11th of December, 1815, then declining the provision proposed for the sufferers and their families by what he termed a much to be lamented event, causing deep distress to

the whole American people, increased by the two governments not agreeing in sentiment respecting the conduct of the parties to it.

By that rebuke, long deferred before it followed the British apology and rejected atonement, the Secretary of State echoed public opinion, which, throughout the United States generally, loudly condemned the Dartmoor massacre, the British impunity for it, and Mr. King's acquiescence in the exoneration which he recommended, what he pronounced outrageous, and the British commissioner agreed with him was unjustifiable. A committee of the prisoners, in their published strictures on the official report of King and Larpent, charged them with omitting to take the testimony of many American witnesses attending to be examined by the commission, and prepared to give material evidence. Of the eighty witnesses examined, all the British keepers, officers, agents, turnkeys, and surgeon, formed a large part; between whose testimony and that of the Americans the conflict of averment was perplexing as to the origin of the affair. But the proof was clear of unpardonable misconduct of the soldiery, in the latter part of the tumult, after the prisoners retired to their apartments; and probably, also, established that the Americans were insubordinate and turbulent in the beginning, if not insulting and provoking during the sort of conflict that took place when driven to their quarters. It was Mr. Clay's opinion that the Americans were chargeable with insubordination; that Mr. King was justifiable for the report; and that Mr. Beasley, on that as on other occasions, behaved well. Mr. Adams thought that some national atonement was due to this country, which Mr. Monroe deemed should be more than pecuniary. The affair ended, however, as all those negotiated between the United States and Great Britain have ended, without American advantage. For the treaty of independence is the only instance wherein American reverence has not relented before British ascendancy. The Dartmoor massacre closed distressingly the contest long provoked by injustice to seamen. The parliament report acknowledged 2548 undeniable Americans impressed unjustly. If, as is probable, any of that number were among the killed or maimed

at Dartmoor, impressed freemen, imprisoned because impressed, and when they should have been liberated, kept imprisoned during the whole war, the fate of such sufferers was cruel wrong, which Great Britain would have waged war to avenge, any one of whom that mighty empire would have vindicated by all the means in her power.

CHAPTER II.

HISTORY OF WAR LAW.

War Law—Common Law—No Jury in Admiralty—International Law—The Exchange—Prize Law—Seizure by mere war—Freedom of the Seas—Supreme Court of the United States—The Judges—Attorney-General Pinkney—Admiralty Droits—European Publicists—Sir William Scott—British Prize-Law adopted—Chief-Justice Marshall dissenting—Case of the *Nereid*—Armed Neutrality of 1780 and 1800—Free Ships make free Goods—Judicial proceedings in Prize Cases—Enemy's Licenses—Alien Enemies—Militia—War Law, as administered in war with Mexico—Blockade—Contraband—Search—Free Ships free Goods—Respect of Property and Religion—Martial Law as administered.

THE philosophical history of a country of law, ought to be found in its code. In all countries, besides statutes, ordinances, rescripts, and adjudications, there is a basis of common law. But the American confederacy has been thought to have no common law for restraining crime, while that for contracts varies according to the adoption and adaptation of English common or French law, administered by the federal judiciary, in different sovereign states. Maritime law is a distinct system in form and forum. Written constitutions are generally supposed to impose on American judges the inevitable, hitherto untried, function of determining whether statutes conform to constitutions, and annulling them if they do not. The United States, and most of the American states, having adopted, by statute, the English separation of tribunals of justice into courts of equity, for mitigating absolute law, and courts of

common law, disregarding equity; the whole judicial structure, federal and state, common and equitable, admiralty and revenue, civil and criminal, is complex, and difficult of comprehension. Complicated codes, multiplying advocates, increase judicial influence, which is pervading and effective in the United States. Law is a mild infliction. Individuals are less coerced by its direct action than in other countries. But the community allows American courts of justice to exercise political power, by which their sphere is elevated, and self-government rallies to their support most of the people. Reverence for judicial determinations predominates. The profession of the law is, moreover, the main avenue to office and distinction.

Shortly before the declaration of war, in February, 1812, the Supreme Court of the United States resolved, for the first time during the twenty years it had been mooted, the question whether the courts of the United States have common law jurisdiction over crime, after that question had become mixed with the permanent, and part of the ephemeral, politics of the country, one party favoring as indispensable and preferable, the other discountenancing, the reliances of English common law, and judicial constructive authority. Among the many offensive acts of the French minister in 1793, were those of commissioning vessels and enlisting men in American ports, for cruising against the English. An American, thus enlisted, having been arrested by the American authorities when there was no act of Congress, or treaty with France, prohibiting such misconduct, the French minister demanded his release as a French citizen, "serving," he said, "the common and glorious cause of liberty, which no positive law or treaty declared a crime." The attorney-general, officially called upon by the president, gave his opinion that the man was an American citizen, amenable to American law, because treaties, the supreme law of the land, with three of the powers at war with France, stipulated that there should be peace between their subjects and the citizens of the United States; and the accused was punishable at common law, his offence coming within the description of disturbing the peace of the United States. The secretary of state, Jefferson, in his letter to Gouverneur Morris,

the minister of the United States in France, asserted thereupon, that an American citizen could not divest himself of that character by the commission of a crime; and that it is an essential attribute of the jurisdiction of every country to preserve peace, and punish breach of it within its own limits. By what organ of government offences against the neutrality of the United States should be redressed, this letter declared was not then perfectly settled; whether by the judiciary, or by the executive, charged with the military force and foreign relations of the country. To meet this exigency, Jay, the chief-justice, and Wilson, an associate judge of the Supreme Court of the United States, affirmed the existence of English common law for the United States, of which the law of nations is part, so that breaches of neutrality might be punished as crimes, without statute so declaring them. Soon afterwards Ellsworth, who succeeded Jay as chief-justice, convicted and punished an American citizen, for misdemeanor, according to English common law, by serving on board a French privateer; affirming not only that English common law remains the same as before the revolution, but affirming also, as law of the United States, the British dogma of perpetual allegiance; by practical contradiction of which dogma, the United States invite an increase of some hundred thousand inhabitants a year, to fill and till the unoccupied regions of a new continent. Law, the district judge of Connecticut, where the English common law is not in force, but as sanctioned by judicial decisions, hesitated going the whole length of Chief-Justice Ellsworth's opinion. But Peters, the district judge of Pennsylvania, concurred in those of Jay and Wilson, before mentioned, and united with the former in convicting, by common law, a consul for sending threatening letters to the British minister. In 1798, Chase, another judge of the Supreme Court, before whom a man was convicted of attempting to bribe a revenue officer, declared that the English common law is not that of the United States, and cannot be resorted to for either the definition or punishment of offences: though the accused was nevertheless punished, as Peters, the district judge, refused to concur with Chase in arresting judgment. On Burr's trial, in 1807, the third chief-

justice, Marshall, intimated his opinion that the statute of the United States, enacting that the laws of the several states shall be regarded as rules of decision in trials at common law in the courts of the United States, in cases where they apply, except where otherwise provided, does not render the common law applicable to offences against the United States. Thus vexed and doubtful was the law on this subject, when, in 1812, it was brought for judgment before the Supreme Court of the United States, in the case of an alleged libel on the president, indicted as an offence at common law. Judge Johnson pronounced the opinion of the court, that no exercise of common law jurisdiction, in criminal cases, is within the federal judicial power. Implied power, to a certain extent, he considered indispensable; such as results from the nature of the institutions of courts of justice. To fine for contempt, imprison for contumacy, enforce the observance of order, &c., are powers, the judge said, which cannot be dispensed with in a court, because they are necessary to the exercise of all others. So far the court deem that the courts of the United States possess powers not immediately delegated from statutes, but not common law power to punish extra forensic crimes. Next year the junior judge of the Supreme Court, Story, considering the point open to be discussed, notwithstanding the judgment of the majority, pronounced by Johnson, which was without hearing an argument, ruled that the federal courts, on their circuits, have cognizance of all offences against the United States. What they are depends on the common law, applied to the sovereignty and authorities confided to the United States; and courts having cognizance of all offences against the United States may punish them by fine and imprisonment, where no specific punishment is provided by statute. This opinion was not revised, as the judge desired, by the Supreme Court till three years afterwards, (in 1816,) when Judge Johnson repeated the judgment of a majority of the court, affirming that of 1812. No counsel appeared to argue the case, which the attorney-general, Richard Rush, submitted without argument. Judge Story persisted in his opinion. Judges Washington and Livingston desired an argument. There the matter rests, profes-

sional attachment preferring, public sentiment rejecting, the English common law.

William Rawle, author of an accredited treatise on the constitution of the United States, upheld the English common as American common law, in the early cases before mentioned, before Judges Jay, Wilson, and Chase. Alexander James Dallas, afterwards secretary of the treasury, and Peter Stephen Duponceau, were the professional contestants of it. In a dissertation, since published, by Duponceau, on the subject, he contends that the English common law is indispensable for definition, if not for jurisdiction; that it is the law of the United States in the national capacity, recognised in the constitution and many statutes; in full force in the territories and districts (not states) of the United States; and that in the states the federal judiciary, wherever jurisdiction is given to them by the written laws, comprehending subject matter and person, are bound to take the English common law as their rule, if other law, national or state, be not applicable. We live in the midst of it, breathe and imbibe it, meet it sleeping and awake, travelling and at home. It is our idiom, and we must learn another language to get rid of it. Yet the Irish, German, Scotch, French, and other population of the United States, are equal in number to the English; and all the states formed from Louisiana have a common law not English. The fictions, technicalities, and complexities of English jurisprudence, have been mostly disowned, and in questions of property there is no reason why English should be preferable to other law. But all English laws which limit or define the arbitrary power of government, declarations of right, laws of personal freedom, whatever individualizes and upholds man, are cherished as American birthrights.

The earlier adjudications introduced English penal common law for jurisdiction over breaches of neutrality. The second chief-justice, Ellsworth, adjudged that even inalienable allegiance is American common law. Cases of bribery of a federal functionary, threatening letters to him, and libel of the President, succeeded. That of which Judge Story was tenacious was an admiralty case, the rescue of a prize on the high seas. But

the Supreme Court seems by its decisions to overrule all common law in criminal cases. William Johnson, who pronounced them, was the first judicial appointment to that court by president Jefferson, strongly imbued with the principles of southern democracy, bold, independent, eccentric, and sometimes harsh. His catalogue of inherent powers to fine and imprison has been since reduced, by act of Congress, perhaps below authority indispensable to forensic order and judicial dignity. The pregnant &c., superadded to that catalogue, which might have teemed with faculties, is thus also brought to naught.

Immediately after passing upon English common law, the Supreme Court, in 1812, confirmed several prior decisions, refusing trial by jury in cases of seizure upon waters navigable from sea, by vessels of more than ten tons burthen, charged with breach of law. It was the unanimous opinion of the court that, such cases being of civil and admiralty jurisdiction, parties interested in them are not entitled to the advantages of a jury. One of the complaints of the Declaration of Independence is for depriving us, in many cases, of the benefits of trial by jury. The people of most of the United States have always been anxious for that mode of determining disputes, not only for its judicial advantages, but because it also gives every one a share in the administration of justice, otherwise engrossed by very few, less capable of ascertaining facts than the community. The transitory appointment of jurors from the mass, and their irresponsible fusion with it again, execute the principle of rotation in office, so generally recognized. Yet, on neither of the three occasions, when the question of dispensing with juries to try certain seizures was solemnly presented to the Supreme Court, did it either hear or give any reason for rejecting them, beyond the shortest statement of the case. So strongly impressed was an attorney-general, Charles Lee, with its magnitude, after the judgment pronounced on the second occasion, that he earnestly entreated the judges to indulge him with an argument for juries; and leave was given, but so ungraciously, that one of them, Chase, said to him from the bench, that, though the argument at the bar, on the first case, "was no great things, yet the court had

well considered the subject." Congress, by their act (February 26th, 1845) giving the District Court of the United States admiralty jurisdiction over matters concerning vessels of twenty tons, enrolled and licensed for coasting trade between places in different states, upon lakes and navigable waters connected with lakes, with the maritime laws of the United States as their rule of decision, gave the right of trial by jury of all facts put in issue, when either party requires it; and also a concurrent remedy by trial at common law, when competent common law and admiralty juries were both rejected by the Supreme Court without hearing their causes pleaded. Congress, in part at least, restored the one, and the bar, could they effect it, probably would the other.

The Supreme Court, at the session of 1813, adjudged the delicate question of international law, whether an American citizen, in an American court, can entitle himself to a vessel of which he was dispossessed by a foreign power, thereafter sailing under its flag as a national vessel. The schooner *Exchange* was claimed in the port of Philadelphia, in 1811, as having been, in 1810, unlawfully taken from the American owners, thus seeking restitution of their property, alleging that her French captors had not lawful title to her. The law officer of the United States, the district attorney, Dallas, instructed by the executive, suggested to the court that the vessel belonged to the French government, put into an American port in distress, and was about to resume her cruise when judicially seized; and he produced to the court her national commission. The decree of the judge, Washington, in the Circuit Court at Philadelphia, restored the vessel to the American claimants. On appeal to the Supreme Court, the question was considered, Chief Justice Marshall said, with earnest solicitude, that the decision might conform to those principles of municipal and national law by which it ought to be regulated. The path to be explored was unbeaten by few, if any, precedents of written or other law, and the court was thrown upon principles and general reasons. These were judicial lights with which the Chief Justice was more familiar than those of professional learning. The jurisdiction of courts is part, he considered, of every nation's sove-

reignty; and all jurisdiction is confined to national territories. But all have consented to some relaxation of it, for mutual accommodation; one of which is in favor of other sovereigns, none of whom are amenable to each other. Foreign sovereigns, ministers or troops, within the territories of each other, are deemed there by consent of the territorial sovereign. Foreign ships are suffered, more readily than armies, to be in other than their own territorial jurisdiction. Treaties commonly stipulate such permission. If there be no treaty, comity implies the assent it would give. When nations do not choose to let foreign vessels enter their ports, it is usual to declare such denial; otherwise permission is taken for granted. Whether private vessels are thus privileged, as well as national, the court gave no opinion; intimating, however, that a private vessel, availing herself of an asylum provided by treaty, would not be amenable to the local jurisdiction, unless she committed some act violating the compact. Vessels, perhaps, should have immunities for distress not accorded to trade. But it cannot be presumed that the sovereign's allowing a public vessel the asylum of his ports, in distress, could mean to exercise his jurisdiction over her. Individuals must render, at least, local and temporary allegiance wherever they are. But a public ship is part of the military force of her nation, acts under the immediate and direct command of the sovereign, and is employed by him in national objects; which interference of a foreign state might defeat, and which cannot take place without affecting the dignity and power of that nation. The implied license under which she entered the foreigner's port, claiming the rights of hospitality, seems to require her exemption from jurisdiction there. While, by unanimous consent of nations, individual foreigners are amenable, nations have not asserted jurisdiction over public ships. A sovereign's private property is distinguishable from that of the nation. His private property abroad may be liable to local jurisdiction, without involving that which he holds or governs for his country. The vessel in this case, once the libellant's property, having become a French national ship, it was not competent for an American court to enquire into the validity of the foreign title.

Being a public armed ship, in the service of a foreign sovereign, with whom the United States are at peace, and having entered an American port open for her reception, on the terms in which ships of war generally enter the ports of a friendly power, she must be considered as having come into the American territory under its implied promise that, while necessarily within it, demeaning herself in a friendly manner, she should be exempt from the jurisdiction of the country. It seemed, to the court, to be a principle of public law, that national ships of war, entering the port of a friendly power open for their reception, are to be considered as, by the consent of that power, exempt from its jurisdiction. It was furthermore the opinion of the court, that the general inability of the judicial power to enforce its decision in such cases, inasmuch as the sovereign power of a nation is alone competent to avenge the wrongs of other sovereigns, and wrongs of this sort are questions of policy more than law, for diplomatic, not judicial treatment, would be an additional difficulty, entitled to serious consideration.

Judge Washington, whose decree was thus reversed, relied on what the Supreme Court thought his misconception of Bynkershoeck's opinion that the effects of sovereigns are liable to foreign jurisdiction; meaning their private, not national, property; and on Rutherford's, that the goods of foreign collective bodies are liable, like individuals', to local authority. Judge Washington argued that it is conceded that a national vessel would be answerable to our cognizance for offences within it, which brings the question to one of locality, not nationality. Public vessels are answerable to material men for repairs done to them in American ports. They must pay debts contracted there. And if a private vessel may be forfeited for offence, which is admitted, why not a public? Neither personal privilege, character of property, or locality of transaction excluding jurisdiction, as Judge Washington held, he brought himself to the lofty conclusion that if he could be so wicked as to decide differently from the judgment he entertained, his genius and talents would not enable him to give a reason which his conscience or judgment could approve.

Social, political and professional prepossessions in the sea-

port where the Circuit Court sat, were inimical to France, and may have unconsciously affected the mind of Judge Washington. But at the federal seat of government a different moral atmosphere prevailed. The judgment of the Supreme Court was there apparently unanimous, Judge Washington giving no dissenting or explanatory opinion. Alluding, as he did in the course of his decree at Philadelphia, to the executive power felt by courts in other countries, not *yet* in this, an honest independence may have swerved his judgment. No juster judge adorned that bench. His integrity was never biassed or suspected. Nephew and principal legatee of his illustrious uncle, without personal resemblance, for the judge was slight in person and insignificant in appearance, he resembled the General in moral courage and dignified official demeanor. Firm, impartial, fearless, candid and capable of great labor, Bushrod Washington, for more than thirty years, enjoyed the universal confidence of his circuit, Pennsylvania and New Jersey, and the respect of the bar, whom he always controlled. Silence, patience, imperturbable and impenetrable suspension of his mind till informed by all that could be said on both sides, and then inflexible decision, with no fear of responsibility, were qualifications in which he excelled more than in extensive learning or clearness of perception. His logic was better than his judgment, though well versed in common law and equity; and not excelled in the talent of expounding cases, especially to juries, to whom his charges were models of clear and conclusive reasoning. Verdicts were rarely given contrary to his instructions; and while he left facts, with considerable freedom, to juries, he was absolute in asserting his exclusive command of law.

The most fundamental adjudication on war law did not take place, in the Supreme Court, till March, 1814, reversing a circuit judgment, in October, 1813. An American, without executive commission, or specific authority by act of Congress, seized British property, and the law officer of the United States libelled it as prize of war. The judge of the first circuit, after an elaborate review of the subject, decreed that all hostile things taken in war belong to the state. Individuals acquire

no right to them, but as granted by the state. But it was Judge Story's opinion that the English law, authorising to seize hostile property for the use of the crown, subject to its ratification or rejection at discretion, conforms to the belligerent law of all other nations, and is the constitutional law of the United States. Mere predatory captures may be punished or adopted by the state. Captors must be commissioned; but the existence of war is sufficient commission for individuals to wage it, till prohibited by superior authority. The subject acts at his peril. The sovereign takes the whole prize, and shares or rejects it, or punishes the captor as he will. But till forbid, the individual captor is duly authorised. Bynkershoeck's assertion that uncommissioned captors, making prize otherwise than in self-defence, may be dealt with as pirates, Judge Story considered the mere municipal law of Holland; and contended that the supposed allegations of Grotius, Puffendorf, and Vattel against the legality of private hostilities are misapprehensions of the true meaning of their treatises. As the result of his researches into European, not British authorities, the learned judge concluded that uncommissioned captors acquire no title to hostile property taken, and that in modern times mere war does not warrant individuals to capture: but in self-defence they may, and whatever hostile thing falls into their hands they must secure to be disposed of as the sovereignty determines. They depredate at their peril, subject to punishment or reward by the sovereignty. If the principles of British prize law go beyond those of other nations, Judge Story declared himself free to say that he considered them the law of this country. He noticed the dicta of foreign elementary writers, because relied on by counsel in argument, but the practice of American courts in prize proceedings must be governed by the rules of admiralty law as disclosed in English reports, in preference to such mere dicta. Hostile confiscation of debts till 1737, was never questioned, nor was the right denied in 1752, in the discussions on the Silesia loan; notwithstanding the doubts of Hamilton in Camillus, and of Vattel, whose authority Judge Story, not without reason, cited McIntosh for disparaging. Confiscation of hostile debts is the doctrine, said the judge, not only of national, but

the English common law, notwithstanding the modern relaxation of merely suspending them, which does not impair the right to seize, however odious. The law to seize hostile things in possession, (and he made no distinction between things and persons,) Judge Story argued is still clearer than that of debts. He reckoned Grotius, Puffendorf, Bynkershoeek, Burlemqui, Rutherford, and Hale, among its advocates, denying that Vattel and Azuni can be fairly cited against it. Even Magna Charta, which he canvassed, protects only domiciled, not transitory foreign merchants, or their property, and is, in practice, disregarded by England, who has uniformly, he truly averred, seized, as prize, all vessels and cargoes of her enemies found in British ports at the commencement of hostilities; and in contemplation of hostilities laid embargoes, that she might, at all events, secure the prey, (as he called such booty,) a belligerent right recognised as early as 1665, among the droits of admiralty. This *summum jus*, he declared, so far from being obsolete, was constantly applied by Great Britain to the United States in the war of 1812, with the aggravation of detaining American seamen, found in her service when it began. Judge Story might have gone further, and said, in the same spirit of patriotic emotion which animated this part of his judgment, that Great Britain, for the last century of these modern times, which he supposed had mitigated the code of war, has frequently, if not mostly, made it first, not declaring it till after the blow was struck with dire severity; and that many thousands of the American seamen, detained as prisoners, as he mentioned, were impressed from American vessels, in defiance of the protection of their flag, documents, and nativity.

Right to capture thus established, and acknowledging that Congress exercise the sovereignty of the nation in the right to declare war, he insisted that the executive, as incident to the presidential office, independent of any express authority by the act declaring war, is empowered to employ all the usual and customary means acknowledged in war to carry it into effect; and there being no limitation in the act of Congress, the president may authorize the capture of all enemies' property wherever, by the law of nations, it can be lawfully seized.

Without grant by Congress all such captures, in his opinion, must enure to the use of government. The executive may, and does employ the land forces, by virtue of the declaration of war, to make captures, without doubt of their legality; and captures by commissioned ships seem a natural result of the generality of expression in the act of Congress; upon which the executive may authorise proceedings to enforce confiscation of captures before the proper tribunals.

After the Supreme Court reversed his decision, still tenacious of it, with honest confidence he disclaimed an opinion that declaration of war operates confiscation of property; admitting, as he said he always did, that the title to it is not divested by war, but remains unimpaired till hostile possession; all he contended for was, that war gives a right to confiscate, enabling the executive to enforce it. If a limit can be put on the extent to which hostilities may be carried by the executive, he cannot transcend it: but if no such limit be imposed, war may be waged, according to the modern law of nations, when, where, and as the executive chooses. Congress by no act have declared confiscation, the right of which Judge Story deemed to result from the state of war, not any statute. Until title divested by overt act of government and judicial sentence, it remains in the original owner, and revives by peace. The prize acts, and hostile trade acts of Congress, with others empowering and directing the president what to do, did not limit his pre-existing power, but simply regulated it. There being no act of the Legislature defining the powers, objects, or modes of warfare, by what rule can the president be governed but by the law of nations, applied to the state of war? The sovereignty of the nation rests with him as to execution of the laws, and he may exercise whatever is legitimate hostility according to the law of nations, in his discretion, which, from the nature of things, must vary according to the annoyance and pressure necessary. The Legislature may limit this right if they will. The power of Congress to declare war, in Judge Story's opinion, includes all the powers incident to war, and necessary to carry it into effect. The power in the constitution to grant letters of marque, and make rules concerning captures, is not substantive, but part of

the power of war. Authority to grant letters of marque and reprisal, and to regulate captures, are ordinary and necessary incidents to the power of declaring war, which would be ineffectual without them. They are merely explanatory and precautionary words in the constitution. Congress have not declared that captures shall be made on land: if not included in the declaration of war, how can the president direct such? How can a Canadian campaign or conquest of a British territory take place under executive orders? The acts of Congress respecting alien and prisoner enemies are but regulations of war, conferring no new authority. Judge Story repudiated the suggestion that he asserts that modern usage constitutes a rule acting directly on the thing, by its own force, not through the sovereign power; his position was, that when the Legislature declares unlimited war, the executive is bound to carry it into effect. The sovereignty as to declaring war and limiting its effects is with the Legislature, and as to its execution, with the president. If the Legislature do not limit, all the rights of war attach.

His conclusions were that the court had jurisdiction, and that the district attorney, without specific instruction, was competent to institute it *ex-officio*; that by the modern law of nations, and the common law of England, governments confiscate debts, credits, and property of enemies contracted or come into the country during peace; that right to confiscate need not be specifically given by act of Congress, because the president, by high prerogative, may control, and the courts adjudicate, by virtue of the act of Congress declaring war.

The district judge of Massachusetts, Davis, an experienced, intelligent and careful magistrate (who made application to Congress, through the judiciary committee, for increase of salary, because such was the pressure of business in his court, during the war, that it was obliged to be in session nearly every day in the whole year, except Sundays), gave judgment in this case contrary to Judge Story's, which latter, in some points, was not appealed from. The great questions here dwelt upon were submitted to the Supreme Court, without an argument, by Richard Rush, then lately appointed to suc-

ceed Pinkney as attorney-general, leaving it upon that of Judge Story, which was contained in the transcript of the record. The advocate contesting it, invoked the liberal law of nations, divested of antiquated rigors, not only rejected, but abhorred, in modern law; denied confiscation of debts and non-commissioned seizure of property; and indignantly reprobated the intolerable hostilities which would send law officers into the warehouses of American seaports, hunting for enemies' things, received in peace, but happening to be caught in war.

The judgment of the Supreme Court was pronounced by Chief-Justice Marshall, entertaining no doubt of the power of government. War gives the sovereign full right to take the persons and confiscate the property of the enemy, wherever found; a right not impaired, though mitigated in practice by wise and humane modern policy. Where the sovereign authority brings it into operation, the judicial department must give effect to its will; but, until that is expressed, no power of condemnation is in the court. Declaration of war by act of Congress does not, by its own operation, vest enemies' property in the American government, but only a right, whose operation depends on the will of the sovereign power. The universal practice of forbearing to seize and confiscate debts and credits, the principle universally received that the original right to them revives on restoration of peace, seems to prove that war is not absolute confiscation, but simply confers a right to it. Reason draws no distinction between debts contracted on the faith of laws, and property acquired in course of trade. Though vessels and cargoes found in port at the declaration of war may have been seized, yet modern usage would not sanction seizure of enemies' goods on land, acquired by trade in peace. The right is the same, as to debts and property, whatever be the practice. The chief-justice quoted Bynkershoek, Vattel and Chitty to shew the modern rule that tangible hostile property, found by war in a country, ought not to be immediately confiscated; and added that, in almost every commercial treaty, there is stipulation of right to withdraw it. Thus it is the opinion of all, that, while war gives the right to confiscation, it does not confiscate.

The Constitution of the United States was framed when this

rule, introduced by commerce in favor of moderation and humanity, was received throughout the civilized world. Expounding it ought not lightly to give war an effect in this country which it has not elsewhere, fettering the exercise of entire discretion respecting hostile property, of which government may apply to the enemy the rules he applies to us. The constitutional enumeration of powers gives declaration of war no operation transferring property, usually produced by ulterior measures; it only places two nations in a state of hostility, and gives the rights which war confers. The power to regulate captures cannot be restricted to such as are extra-territorial: but it is a substantive power not included in that of declaring war. War gives equal right over person and property; yet Congress prescribe rules to the President concerning alien enemies and prisoners, and for governing trade with enemies. Then the act declaring war undoubtedly not enacting confiscation, the power of confiscating enemies' property within the United States at the declaration of war remained in the legislature without expression of its will; and the property in question was unlawfully condemned. As to the argument that, in execution of the laws of war, the executive may seize, and the courts condemn, though it might require legislation to justify it, the court denied that modern usage constitutes a rule acting on the thing by its own force, and not through the sovereign power. This usage is a guide which the sovereign follows or abandons at will. It is like other precepts of morality, humanity or wisdom, addressed to the sovereign's judgment; not to be disregarded without obloquy, but not binding; flexible, subject to infinite modification, depending on perpetually varying political considerations. What shall be done with property caught by war is a question of policy, for the consideration, in the United States, of a department which can vary it at will, the legislature; not of the executive or judiciary, which can pursue the law only as written.

The chief-justice also repeated the common, perhaps universal, war doctrine of retaliation; that the rule which we apply to the property of an enemy, he will apply to us; the existence of which cannot be denied, though it may be depre-

ated, as a judicial, however necessary as a legislative or executive, principle. War, begun for some alleged injury, often transcends to the revenge of others involved by the strife of combatants, which shall do the other most harm. The original cause is lost sight of in bloody conflict, raging for mastery or from malice, forgetful of all right and reason, and ending, as was the case of our war of 1812, by mere accidental cessation of original causes.

Law is commonly considered more uncertain than other sciences; but, except the exact, which of them is not liable to contradiction, disproof and fluctuation? Law is as certain as any metaphysics. Much of the nebulous in American political jurisprudence is occasioned by blindly following the murky lights of England exclusively, instead of contemplating the whole firmament of jurisprudence, and creating for the new world a congenial sphere. It is always easier to read than to think; and generally safer to follow than lead. In international and maritime law, the laws of war, peace, and commerce, American reverence of English precedent has predominated. War was ruffian violence, till Grotius civilized it; and it ought to be the mission of this country to extend, further than he contemplated, the benign refinements of which it is susceptible, especially by sea. The doctrines of the armed neutrality of 1780, just preceding the recognised independence of the United States, of which our English enemy was the only antagonist, as they refused her the sovereignty of the ocean, marked an era not new in the law of nations, but only in its revival. American treaties had recognized a code of international and maritime regulations of commerce and navigation, which posterior negotiation, legislation and adjudication need but complete, to confer lasting and inestimable benefits on mankind, by preventing, abridging and humanizing hostilities, promoting and strengthening pacific principles. The fundamental wrong has been suffering the strong to inflict on the weak a predominance of war over peace, postponing the eternal rights of peace to the fitful lusts of war, which law should never sanction. In Europe, mandates from government control courts of admiralty, which judges are compelled to obey. But it never should be

allowed to courts of justice to commit acts of hostility against foreign nations. That power, in all countries, belongs to some other department of the government; and although the acts of a court may sometimes be the remote causes of war, just or unjust, on the part of a foreign nation, yet a power to commit a direct act of hostility can never be properly lodged in that department. But the federal judiciary, during the war of 1812, incorporated with American law the war-waging tendencies of the English, endangering further conflicts with neutrals whenever the United States are involved in war. Scott, the brilliant propagator of war law, was their fixed star, while the journals and resolutions of the Congress of the Revolution, with their rich mines of information, their excellent instructions to superior negotiators who represented the United States in Europe, the continental and the conventional law of nations, were overlooked or disregarded. Insular naval supremacy, perverting and aggravating maritime codes, to usurp the mastery of the ocean, in continual contest, from when Selden's *Mare Clausum* opposed Grotius's liberty of the sea, to the period of Scott's supremacy, was the model of American judicature.

The precedents for a better code were of great authority. The American treaty with France, signed by Franklin, Deane, and Lee, the 6th of February, 1778, with Franklin's modification of the 1st of September of that year; Adams's treaty with the Netherlands, of the 8th of October, 1782; Franklin's treaty with Sweden of the 3d April, 1783; Franklin, Adams, and Jefferson's treaty with Prussia, of 1785, laid the broad and excellent bases of a system of international and maritime harmony, which it ought to be the destiny as well as policy of this country and its great glory, as it began, to perpetuate. By these pledges of constant equality and good-will reciprocated with powerful seafaring nations, perfect order was established, all burdensome preferences discarded as the common causes of debate, embarrassment, and discontent, leaving each party to make, respecting commerce and navigation, those interior regulations most convenient to itself. The advantage of commerce was founded solely upon reciprocal utility, and the just rules of free intercourse, reserving to every nation the liberty of

admitting, at its pleasure, other nations to a participation of the same advantages. No particular favor of commerce or navigation was to be granted to one nation over another. What has come to be since well known and extended as the reciprocity principle was introduced. Protection by convoy was afforded when desirable. Enumeration and reduction of contraband articles, that perilous product of wanton war, followed stipulation for six months' allowance after declaration of it, for sale and removal of property. Private cruising commissions from third parties were prohibited, the first step in the most odious, but, for the United States, the cheapest and most effectual sinister arm of marine hostility. Unmolested trade was allowed between enemies and neutrals. Not only should free ships make free goods, that greatest of all restorations of the true law of nations, founded in reason and consecrated by numerous treaties; but even all hostile persons, except soldiers, were freed from interruption in neutral vessels by those of war. What has been usurped as the miscalled right of search, and its bastard twin, forcible visitation, were qualified by requiring ships-of-war to stay out of cannon-shot and send a boat to board merchant vessels, with no more than two or three men, on showing to whom the prescribed passport the merchant vessel was at liberty to pursue her voyage without molestation, search, chase, or forcing her to quit her intended course. All goods on board a vessel were exempt from visitation; visiting and searching were to precede loading, and vessels were not to be embargoed, or their owners arrested afterwards. These noble meliorations of international law were triumphs produced by the victory of Saratoga, which enabled Franklin to arrange with a French ministry, instinct with the embryo principles of Turgot's political economy, their incorporation with international intercourse. Such noblemen as Turgot and La Fayette, enlightened by the good sense of universal benevolence, imbued with the spirit even if disowning the divinity of Christian charity, patronised the poor suitors of despised America; by arms and treaties encouraging a forlorn but fortunate insurrection. A wonderful people, as Washington termed the French, the same inconstant race who are yet exactly as characterised by Cæsar, always

changing, still the same, were then whispering to dull kings, and their blind ministers, those marvellous changes of polity which have since shaken the world to its centre. Louis XVI.—who lived like a fool, and did he die like a saint?—was the only man in his kingdom, except Turgot, who loved the people; “for who,” asked Voltaire, “loves the people?”

With court, cabinet, camarilla, capital, and country, all ripe to rottenness, Franklin dealt, and Jefferson succeeded him; both new men from the new world; grave, gay, profound, and captivating apostles of its political discoveries, romantic essays, and progressive philosophy. Entertained by, and entertaining a people of dancers and mathematicians, cooks and chemists, soldiers and moralists, a plain American printer became the fashion; and getting the vogue, with steady hand and far-seeing glance, steered onward to, not his own alone, but his country's and mankind's, improvement. Voltaire, the master workman of French progress, who would have resisted and probably fallen under, had he lived to see the whirlwind of which he sowed the wind, courted by wits, feared by courts, admired by philosophers, adored by deists,* idolised by women, wished to become acquainted with a transatlantic sage, so unlike the French; and stammering a few words of broken English, tried to speak “the language of Franklin.” An irresolute and vacillating monarch, surrounded by dissolute courtiers, making epigrams and anagrams, and futile ministers attempting, by paltry parsimony, to save from revolution a kingdom so little burdened with debt that any efficient economist might have extinguished it, were raw materials of the work, which Franklin helped to begin and Jefferson to finish. Songs, jokes, and riddles, filling the saloons of Paris and Versailles, were the chief occupation of the chief men, while the wary American commissioner, not received as a foreign minister, retired at the modest village of Passy, adroitly inoculated susceptible France, not with confusion, rebellion, crime and confiscation; but economy, equality, liberty, and peace; beneficence, to be preceded by distressing severities, but developed throughout the population of France in greatly raising the degraded poor, usefully levelling the exalted, and equalizing the property and condition of all. History must

declare that Franklin, Adams, Jefferson, and others who matriculated in Europe the principles of American government, by fortunate contagion of the personal and trivial impressions always so important in the affairs of mankind, prevailed on the greatest nation of continental Europe, oppressed, impoverished, and weakly governed, to counteract England, not only by arms, but laws, treaties, codes, and systems of œconomy, all tending to peace, order, and utility. Treaties with France, the Netherlands, Sweden, and Prussia, all counteractive of British naval pretensions, discountenanced marine hostilities, stripped of their transcendentalism beyond those of land warfare, are monuments of American revival of eternal principles of justice and humanity.

The first monarch of Europe having adopted them, they were proclaimed by the republican Dutch, at the mast-head of an admirable marine, and in the marts of the most industrious, economical, and wealthiest merchants. The northern nurseries of mariners likewise declared them; as the great Frederick, reposing on the laurels of incredible exploits, contemptuously independent of both France and Great Britain, added to the free code the sanction of his imposing authority. Refuting the lawyers and denying the law of England, by confiscation of the Silesia loan, Frederick gave his adhesion to laws of nations acknowledged by sages, and for ages, till supplanted by British interpolations; the common law of European nations, till England, with insular interests and naval control, combated and suppressed them.

The war of 1812, without the protection of any common law against offences or the indispensable basis of an inferior magistracy for its support, depended for the administration of justice on the small judicial hierarchy of some eighteen district judges, and seven judges of the Supreme Court, who, without commissions as circuit judges, assumed on their several circuits the powers, and performed the duties, of chancellors, judges at common law, of admiralty and criminal law, mostly with juries; determining the various controversies, territorial, maritime, personal, fiscal, commercial, public and private, foreign and domestic, of a jurisdiction, sometimes concurrent with the state judicatures,

but generally exclusive. War taxes, captures, and questions, added much to their powers and labors. Yet I believe every case was determined without delay, mostly with laudable expedition; and the judiciary altogether, especially the Supreme Court, were respected for impartiality, diligence, learning and personal independence.

On the 11th of March, 1815, the Supreme Court adjourned after a session of six weeks, during which their docket was cleared of sixty cases, some of great importance. Since then, in no department has the American government more outgrown its original dimensions than the judicial. The annual appropriation by Congress, in 1815, was forty thousand dollars for defraying the expenses of the federal courts, jurors, witnesses, prosecutions and prisoners. In 1848, the appropriation for the same objects, was four hundred and forty-three thousand dollars. The constitution of the United States laudably framed for an independent judiciary, without which property and society are insecure, goes beyond the English model by an irresponsible judicial tenure. While the judiciary of the Union is almost irresponsible, the tendency to popular or factious decline, mis-called progress, has degraded most of the state judicatures to partizan elections: antagonistic extravagance in both federal and state constitutions.

Without common law, or ancillary magistracy, eighteen district judges, dishevelled over the vast territories of the United States, had war law to initiate in a country which had never been at war during the lifetime of most of them. Over them, seven magistrates, appointed and commissioned judges of the Supreme Court, assuming circuit jurisdiction, stood on a narrow and barren isthmus of written laws, to create American admiralty and American prize law: most of whom had never seen the sea, or perhaps a ship; and only one was versed in maritime litigation. Brockholst Livingston, of the city of New York, member of an eminent family, selected by President Jefferson for the Supreme Court, had been extensively employed collaterally, though never directly, in resistance to British law of blockade, contraband, search and other inflictions, which at last provoked resistance by war. William Johnson, of Charleston, South

Carolina, another of President Jefferson's judicial appointments, with some little marine experience, was likewise of the politics opposed to British domination. Thomas Todd, of the same politics, but of Kentucky, honest and laborious, was a land lawyer, to whom sea law was *terra incognita*. Bushrod Washington, of Virginia, and the chief justice, John Marshall, of the same state, intimate friends, of federal politics, appointed by President Adams, had neither of them any experience of admiralty law. The chief justice, with superior abilities, simple, plain, almost rustic but winning manners, a genius for constitutional polemics, and the influence of long judicial presidency, but neither learned nor studious, was too old, in 1812, to begin the study of new branches of jurisprudence, to him not only new, but strange and revolting. For his nature was too kind to relish, and he was therefore the more slow to comprehend, the harsh British sea code, which in practice was star-chamber, and in principles, from the era of Selden's *Mare Clausum* to that of Scott's admiralty droits, a dark age system of belligerent exclusion and inhuman depredation. One of Pinkney's side-bar, saucy whispers, when complaining that he could not hammer it into Marshall's head, was that the chief justice had a marvellous inaptitude for admiralty law. Brockholst Livingston sympathized in Marshall's aversion to supplant the liberal benignity of common British and American law by exparte rules of inquisitorial, merciless, and universal maritime condemnation. They could admire Scott's epigrammatic argumentation, without adopting his grasping rapacity.

But from the burning focus of infuriate hostility to the war, and the head-quarters of privateers, the town of Salem, represented in Congress by Pickering, came forth a young judge, with a war-besom in hand, to sweep prize-money into the purse of every sea-rover. When Judge Cushing, after long incumbency on the bench of the Supreme Court, died, President Madison had to find a successor, who must be of New England, and opposed to the rancorous politics of that intolerant centre of intelligence—some war democrat. John Quincy Adams was nominated and confirmed; for he complained of

the expenses of his Russian mission, and his friends at home solicited relief. But he had set his thoughts on succeeding his father in the presidency; and though for some months a judge without knowing it, refused the appointment as soon as apprised. Then, after long and doubtful search throughout all New England, to find a man of the politics, the character and the promise required, finally Joseph Story was pitched upon. Quite a young lawyer, not much more than thirty years of age, appointed a few months before war was declared, he undertook the most maritime and the most disaffected of all the circuits, where seaports, enterprise and opposition to government most abounded. Young, ardent, studious, indefatigable, but more of a reader than a thinker, Judge Story, with infinite research, sounded all the depths of admiralty law, and introduced British doctrines, both jurisprudential and constitutional, to which the chief justice could never be reconciled, and some of which the Supreme Court rejected, but not all; for the British influence was overpowering sometimes, when the authority was disowned.

On the same day when Story was appointed, a respectable, discreet and elderly gentleman of Maryland, Gabriel Duvall, was commissioned to succeed Judge Chase in the Supreme Court. Judge Duvall had been Presidents Jefferson and Madison's comptroller of the treasury, which chancellorship familiarized him with revenue law. But marine controversies were almost as strange to Judge Duvall as to Judge Todd. The United States had taken up arms against British maritime law; and no English adjudication, since 1776, was authority in an American court. The opposite of English law, consecrated by many, if not all the treaties of the United States; American admiralty law, as far as adjudicated during and after the Revolution; institutionary law, as announced by resolves of Congress, and the whole published laws of nations, constituted, altogether, a code for the guidance of the federal judiciary not to be rashly overruled or wholly disregarded. Yet, while the executive and the legislature, the army, the navy, the militia, and the nation of the United States, were, with all their might, waging war against British sea law, it was judicially adopted as the only American jurisprudence.

Judge Story, often differing with Marshall and Livingston, propounded, and with the attorney-general, Pinkney, founded the British prize code. William Pinkney, of Maryland, was the leading lawyer of his day. Appointed by President Washington one of the commissioners under Jay's treaty, and having spent several years in London, his occupation there induced him to frequent the admiralty courts, where he witnessed the cloudy setting of the admiralty judge, Marriott, indecently scoffing at American resistance to British maritime depredation, and the rise of his brilliant successor, Scott, displaying his powerful talents and obsequious pliancy by masterly vindication of sea despotism, against which the whole of Europe protested and resisted, till the United States, at last, when all the rest were vanquished, reluctantly went to war for their rescue. When Ethan Allen once attended Marriott's court as a suitor, absurdly dressed in regimentals, accompanied by the American minister, Rufus King, the judge, by impertinence as much out of place as the costume, ridiculed the American officer while deciding against him. Scott's elegant decrees sometimes betrayed the same contemptuous national aversion. There is reason to believe that he wrote the British war manifesto, published in January, 1813, coarsely abusive of this country, its government and cause. [See Vol. I. p. 476-7.] It is certain that he wrote, for the ministry, their answer to Quincy Adams's argument for the free navigation of the river St. Lawrence. The two Scots, Lords Stowell and Eldon, charmed a lunatic king by parasite loyalty. To his surreptitious private royal revenues, the admiralty judge, by admiralty droits, and other such confiscations, largely contributed. Pre-rogative had no more servile advocates, in all its extravagances, than the chancellor and his brother.

In their courts Pinkney studied law; and, instead of frivolous pastimes while in England, added constant application to that classical literature, by which Stowell adorned his elegant decrees, which Eldon shunned lest it should contaminate his, or lessen his emoluments, and by which Pinkney shone with a lustre not common in America. Returned from England, he found his country indignant against further endurance of

British maritime law, her inflictions of blockade, search, impressment, contraband and resuscitated colonial rules. The merchants urged war; which they finally compelled the represented yeomanry to declare. Every seaport sent its flaming appeal to government, written by some eminent lawyer. Distinguished above the rest by his, for Baltimore, Pinkney was selected by President Jefferson to go back again to England, and remonstrate against what Scott justified. There, with Monroe, signing a treaty without providing against impressment, Jefferson would not even ask the Senate's advice on such a litany. Returning home once more, President Madison, to whom Jefferson bequeathed the war, was glad to avail his administration of Mr. Pinkney's commanding abilities as attorney-general of the United States. He wrote the act of Congress declaring war; and he fought and was wounded, as he said of General Winder, "as became a gentleman," at the battle of Bladensburg; while with Judge Story inoculating the Supreme Court with the virus of Scott's prize law. Professional anchorite law books were his only company. Never venturing to appear in court till perfect master of his case, he studied not only what might be said for, but what against it. Then, dressed in the extreme of foreign fashion, boldly announced law, and most accurately detailed facts; his lucid statements all solid arguments. Rude to opponents, with homage of the court, learned in all law, predominant in prize law, he led majorities of the Supreme Court; the greatest lawyer, Judge Livingston said, (who had known them all, and often dissented from Pinkney's postulates,) of the American bar. Vain too, like Erskine, for whom Pinkney professed profound admiration, he said to a Senator, alluding to the constancy and intensity of his professional labors—"Yes, I am, as you say, at the head of the bar, but no one knows what it costs to keep me there." It was said that he committed his speeches to memory. But that was impossible, for he made too many in a time too short to admit of it. Occasional passages he may have so prepared, as the chief justice gently intimated when noticing his figure of the chartered libertine.

With Story and Pinkney, joined in idolatry of Scott, was the reporter of the court, Henry Wheaton, intimate with Judge Story.

Judge Cranch, who, for more than fifty years, has been chief justice of the federal district, relinquished the reportership of the Supreme Court towards the end of the war, and was succeeded by Wheaton, then editor of the *National Advocate*, an efficient democratic newspaper, afterwards for many years American minister in Prussia, author of a useful treatise on prize law, and several valuable works on the law of nations. By that triumvirate, Story, Pinkney, and Wheaton, the British practice in prize law, and many of its un-English principles, were engrafted upon American judicature.

MacIntosh, in parliament, applauded the American government for beginning the war of 1812, by disowning the rapacious hostilities of modern England, and preferring the beneficent old English common law; which, by the great charter of British liberty, gave time for those involved in the perils of war to withdraw their effects from an enemy's country. Canning, little given to American eulogy in that war, afterwards, in the house of commons, pronounced Washington's and Jefferson's principles of neutrality those most worthy of British adoption. Proud as Americans are naturally prone to be of British commendation, such acknowledgments are grateful atonement for much unmerited censure and contumely. Story, I believe, is the only American judge ever extolled in England, perhaps ever known there. And although the Supreme Court, as before mentioned, overruled his decree reversing *Magna Charta*, and allowing admiralty droits, yet it is not easy to extract from among the frequent divisions of opinion of the judges of that court in bane, what prize law is as adjudicated during that war.

Admiralty droits, an enormity of prerogative hardly endured in England, would be monstrous in this country. Hume, certainly no censor of the Stuart kings, acknowledges that Charles the Second, in 1664, ordered Admiral Lawson, without right or pretext, to surprise and seize 135 Dutch merchant vessels, preliminary to war, not declared till the next year, by which means the plunder of those prizes condemned as droits passed into the royal coffers for parasites and prostitutes. Admiral Cochrane, who commanded the British fleets in America, in

1814-15, and signed the proclamations, one to induce a servile revolt, the other avowing inhuman hostilities, seized, in 1804, off Cadiz, without prior declaration or notice of war, three large Spanish vessels, returning from America, and sunk a fourth, all loaded with treasure, of which booty, after being carted through the streets of London, to the delight of the populace, four millions of dollars worth were condemned by Sir William Scott as admiralty droits, and converted to the purposes of George the Third.

In 1807, a still more stupendous and iniquitous acquisition of admiralty droits was effected by the capture of Copenhagen, in profound peace, by a British fleet, of which Admiral Gambier, afterwards chosen to negotiate the treaty of Ghent, and Jackson, an English minister in this country, dismissed for insolence just before the war of 1812, were among the naval and diplomatic perpetrators. Sixteen sail-of-the-line, nine frigates, fourteen sloops of war, and other vessels, seized and taken to England, laden with materials from the arsenal; ninety-two cargoes in transports, and other vessels, whose burthen, altogether, exceeded twenty thousand tons; after burning several ships-of-the-line, and frigates on the stocks, four hundred houses, churches, and universities, with thousands of non-combatants surprised in profound peace—were the crown droits on that occasion. Denmark's activity in exciting the armed neutrality of 1780, (more than a quarter of a century before,) caused *suspicion* of the crown-prince's neutrality, said a British annalist. And at all events, whatever may be thought of the policy and justice of the expedition, there can be, he adds, but *one sentiment* of the *inhumanity* of the crown-prince, in permitting his subjects to *offer hopeless resistance to British arms!*

In the House of Lords, in February, 1783, debating the preliminary articles of peace between Great Britain, France and the United States, one of the members, Loughborough, venturing to cite the opinions of Vattel and Puffendorff, was sharply rebuked by the chancellor, Thurlow, for resorting to the lucubrations and fancies of foreign writers, and referring British senators to Swiss authors for explanation of the prero-

gative of the crown. The chancellor rejected all foreign books on that point. However ingenious Mr. Vattel or Mr. Puffendorff might be on the law of nations, he denied their authority, and exploded their evidence, to explain the authority of the British crown.

Just so Judge Story repudiated the same counsellors. "The practice of this court," he said, "must be governed by the rules of admiralty law, disclosed in English reports, in preference to the mere dicta of elementary writers; though he thought it his duty to notice those authorities." And when American treaties were cited, and among them one with England, mitigating the extreme infliction of hostile confiscation, the judge treated them as exceptions, not the rule. But what higher evidence can there be of international law than treaties? — fruits of the studies of the wisest statesmen embodied in supreme laws. Franklin's treaty of Versailles, and Jay's treaty of London, consecrate principles, and impress nations, far beyond the fascinating rhetoric of Scott's decrees. British belligerent practice rejects ancient feal law, and all declaration, manifesto or notice of war, till first executed by hostilities. The war of 1756, which involved America, where most of it was waged, began by Captain Howe, afterwards the admiral, with the frigates *Dunkirk* and *Defiance* surprising and capturing the French vessels *Lys* and *Defiance*, by which seven hundred thousand pounds sterling were snatched as admiralty droits — as iniquitous as piratical plunder. Since then, in all her many wars, Great Britain, as at the rupture of the peace of Amiens, has struck first and explained afterwards. Whereas the United States cannot make war without solemn declaration. Indeed, is there English law of nations? beyond the British constitution, traditional and disputed transactions. According to American understanding, there is a law of nations manifested by general acceptance, and equal for all; some, by Wolf's simile, giants, and others dwarfs, but all equals; and each bound, as by common law, to do each other as much good in peace, and as little harm in war, as may be consistent with their own interests. Such are the laws of neutrality and of war which govern the United States, and which it is their inte-

rest to maintain. "I trust," said Richard Stockton, one of the ablest lawyers and leading members of Congress, never charged with British aversions, addressing the Supreme Court in 1814, "this court is not prepared to adopt, even with respect to neutrals, much less with respect to American citizens, the rigid rules of the British court of admiralty, a mere political court, a prerogative court, regulated by the king's orders in council, designed to give Great Britain the sovereignty of the ocean, to subject the whole commerce of the world to her grasp, and to make the law of nations just what her policy would wish it to be." "The law of nations," said Chief Justice Marshall, on the same occasion, "is founded on the great and immutable principles of equity and natural justice. I respect Sir William Scott, as I do every truly great man, and I respect his decisions; nor should I depart from them on slight grounds. But it is impossible to consider them attentively, without perceiving that his mind was strongly in favor of the captors. In a great maritime country, depending on its navy for its glory and its safety, the national bias is perhaps so strongly in this direction, that the judge, without being conscious of the fact, must feel its influence. However this may be, it is a fact of which I am fully convinced; and on this account, it appears to me to be the more proper to investigate rigidly the principles on which his decisions have been made, and not to extend them, where such extension may produce injustice." In the first case argued by Chief Justice Marshall, when at the bar, in the Supreme Court of the United States, an eminent judge, who had been one of the founders of the Constitution of the United States, Wilson, deprecating the harsh and odious inflictions on America of antiquated European law, insisted that "when the United States declared their independence, they were bound to receive the law of nations in its modern state of purity and refinement."

The federal Court of Appeals, in 1781, before the Constitution settled many of the great principles which in, and even by, the Supreme Court of the United States, in 1812, it was attempted to overthrow, capture without commission, and mere forcible seizure without adjudication, were

both held invalid. The noble and cardinal principles, that a state of nature is a state of peace, and not a state of war, and that nations are morally bound to preserve peace and benevolence, and amity to be presumed, were doctrines laid down with the foundations of American jurisprudence. Nor did the federal Court of Appeals stop short of affirming the ordinances of Congress, by which free ships make free goods; and neutral rights were acknowledged as established by the armed neutrality of 1780: likewise the resolutions of April, 1781, forbidding American cruisers to capture neutral vessels, unless employed in carrying contraband or soldiers to the enemies of the United States, or effects belonging to subjects of the belligerents on board of neutral vessels, except contraband goods. The court conceding the right of search, yet qualified even that; first, limiting it to time of war, and, secondly, to subjects of an enemy. To search a neutral, they say, is always at the peril of the belligerent, who has no right to seize without good grounds, and is liable to damages for any mistake.

Thus restrained, qualified and explained, the so called right of search at sea is no more than that of any officer ashore, without warrant, to arrest on suspicion;—in fact no right at all, but an assumption, on all the actors' responsibility.

In spite of prior adjudications, of publicists, of treaties, of Congress, and of war, however, British influence prevailed. The mother country was the firmament on high, and Scott the cynosure by which the American judiciary steered. The eloquence of his decrees, Mr. Wheaton's treatise declared, required their adoption. And another American jurist, deservedly of the highest authority, whose work is the hand-book of lawyers, the standard of law-schools, and the great dialectic of the legal profession, Chancellor Kent, in his Commentaries, too truly declared that the Supreme Court of the United States had surrendered the vast and undefinable developments of American commercial prosperity to the iron fetters and insular manacles of British prize law. "In the investigation of the rules of the modern laws of nations," says Kent, "particularly with regard to the extensive field of maritime capture, reference is

generally and freely made to the decisions of the English courts; deservedly followed by all the courts of the United States, on all the leading points of national law. They contain more intrinsic argument, more full and precise details, more accurate illustrations, and are of more authority than the loose dicta of elementary writers. There is scarcely a decision in the English prize-courts at Westminster, on any general question of public right, that has not received the express approbation and sanction of our national courts. The decisions of the English high court of admiralty—*especially since 1798!*—have been consulted and uniformly respected by our Supreme Court. They are pre-eminently distinguished for sagacity, wisdom and learning, as well as for the chaste and classical beauties of their composition.”

Not content with British prize-law, some judges of the Supreme Court of the United States seemed inclined to establish English common law, as parcel of it; and that very part of common law against which the United States were at war against Great Britain with a vengeance—the dogma of allegiance. Chief Justice Ellsworth had ruled, by double error, not only that English common law is American federal law, but that English common law of allegiance is American common law of allegiance. In 1814, a majority of the Supreme Court engrafted a branch of that dogma on the prize law adopted from England. The venerable chief justice dissented, but protested in vain. “I will not pretend to say,” was the conclusion of his argument, “what distinctions may or may not exist between these two classes of citizens, in a contest of a different description. But in a contest between the United States and the naturalized citizen, in a claim set up by the United States to confiscate his property, he may, I think, protect himself by any defence which would protect a native American. In the prosecution of such a claim, the United States are, I think, if I may be excused for borrowing from the common law a phrase peculiarly appropriate, *estopped* from saying that they have not placed this adopted son on a level with those born in their family.” Judge Livingston concurred in opinion with the Chief Justice. But all in vain. Scott’s vulpine rapacity for

prey, and inflexible support of inalienable allegiance, extolled by Kent, deplored by Marshall, triumphed over the Declaration of Independence. The property of Scotch naturalized citizens, long domiciled in this country, was confiscated upon British prize rules of residence, which reft the Supreme Court asunder with disparaging discord. Judge Johnson declined giving an opinion, and "I do not sit in this case," said Judge Story; "but on so important a question, where a difference of opinion has been expressed on the bench, I do not feel myself at liberty to withdraw from the responsibility which the law imposes on me." In a few words, therefore, he gave his adhesion to the bare majority of judges voting for condemnation. If such a doubtful determination, by three judges overruling two, with two others not acting, constitutes "the express approbation and sanction of our national courts," which Kent's Commentaries applaud, the three or four hundred thousand European emigrants annually domesticated in the United States, may find laws of naturalization, enacted by Congress, annulled by bare majorities of a distracted court, rendering their expatriation less effectual than Europeans flatter themselves. Property of the founder of Pennsylvania, who never spent but two years at one time, and but four years altogether in that province, must have been confiscated, as English, by the Anglo-American rules of residence.

The last case I shall mention involved a question, Judge Story said, "than which none more important or interesting ever came before a prize tribunal; and the national rights suspended on it were of infinite moment to the maritime world." Division of opinion had then become a chronic court distemper. Precisely what that discord was in this case the published opinions did not disclose. But Judge Todd being absent, Judge Johnson prefaced his opinion, by saying that "circumstances known to the court had, in great measure, imposed upon him the responsibility of the decision." A South American Spanish subject, inhabitant of Buenos Ayres, shipped his property on board an armed British vessel that he freighted, which was captured by an American privateer, after a sea-fight. The Spanish Treaty of 1795, with the United States, provides

that free ships make free goods. For the captors of the unlucky Spaniard, it was thereupon contended that the converse of that rule is implied by the law of nations, and therefore that the enemy's ship made enemy's goods of those of the neutral laden on board of her.

A sort of dramatic interest attended that litigation. Washington, without places of theatrical or other general resort, except the Congress and the court, afforded no spectacle so attractive as the temporary court-room, where, deprived by the enemy of their colonnaded apartment in the crypt of the capitol, the robed Supreme Court held its sessions. No member of either house was so remarkable a public speaker as Pinkney, with his sparkling rhetoric and solid logic, his exquisite English dress, unusual cadences, and foreign, said to be English, forensic gesticulation. The court was crowded to hear him speak. Flattered by audiences of ladies and members of Congress, it was said that he multiplied his tropes and ornamented, for such hearers, postulates of law by metaphorical illustrations. So ornate, yet chaste, figurative and uncommon was his language for a barrister addressing a bench of judges, concerning mere property, that his arguments, unless excellent, must have suffered from their fanciful enclosure. And there were several other eminent advocates whose eloquence drew audiences to the court. Dexter, Wirt, Harper, Webster, just beginning his career, and Emmett, surpassed by none in learning, ardour, and professional accomplishments. The secretary of the treasury, Dallas, too, took part in the case referred to, that of the Nereid, with Pinkney for his colleague; then no longer attorney-general, for he found that office a hindrance to his large and lucrative practice, especially in prize cases, which abounded, and captors could afford to share generously with lawyers their prizes in the lottery of war and of law. Aggressive, as usual, Pinkney taunted Emmett as a stranger come to teach us: to which the Irishman, with thick Milesian accent, and abrupt manner (poetical as even broken English sounds from an educated tongue), in fine keeping with the commanding march of a masterly argument, impassioned with delightful pathos, triumphantly replied. With the the conviction of the court,

Emmett seized the sympathy of the many distinguished bystanders, taking side with an insulted *novus hospes*, as Pinkney called him, against the common champion of the court, who lost the palm of oratory with his cause. In vain, with great force of rhetoric, he pleaded for belligerent supremacy. "The Nereid was armed, sailed, resisted, and was captured," he said. "If she could do all this, she was a *chartered libertine*; a neutral, surrounded with all the pride, pomp, and circumstance of glorious war; *discordia rerum*; a centaur, half man, half ship; a fantastic form, bearing in one hand the spear of Achilles, in the other the olive-branch of Minerva; the frown of defiance on her brow, and the smile of conciliation on her lip; entwining the olive-branch of peace around the thunderbolt of Jupiter, and hurling it, thus disguised, indiscriminately on friends and foes."

No audience could fail to be struck by Mr. Pinkney's fervent display of belligerent power, right of search, droits of admiralty, and catalogue of contraband. Judge Story and some other judges were convinced. But the chief justice remained immovable on the platform of neutrality and commerce. "With a pencil," said he, with almost sarcasm, rejecting Pinkney's brilliant appeal, "dipped in the most vivid colours, and guided by the hand of a master, a splendid portrait has been drawn, exhibiting this vessel and her freighters as forming a single figure, composed of the most discordant materials—of peace and war. So exquisite was the skill of the artist, so dazzling the garb in which the figure was presented, that it required the exercise of that cold investigating faculty, which ought always to belong to those who sit on this bench, to discern its only imperfection—*its want of resemblance*. The Nereid was no centaur, or neutral rover on the ocean, hurling thunderbolts of war, while sheltered by the olive-branch of peace; but an open and declared belligerent, conveying neutral property." The right to do so, subject to the hazards of war, the pivot of the case, was conceded by all the divided court. Still Story, in a voluminous opinion, contended for condemnation. But the chief justice, with a majority, denied the alleged convertibility of the benign principle, that free ships make free goods, into an

abominable contravention. "The reciprocity," said Johnson, "is a reciprocity of benevolence, not of violence, and dismal," he added, "would be the state of the world, and melancholy the office of a judge, if all the evils which the perfidy and injustice of power inflict on individual man were to be reflected from the tribunals which profess peace and good will to all mankind. To the judiciary it belongs to administer law and justice as it is, not as it is made by the folly or caprice of other nations."

The history of that war cannot discover, from the literature of its law, whether the Supreme Court, with much difficulty, by bare majority rejecting the belligerent converse, likewise affirmed the peaceful principle that free ships make free goods. On the occasion of the armed neutrality of 1780, the Congress of the United States (October 5, 1780), informed that the Empress of Russia, attentive to the freedom of commerce, and the rights of nations, in her declaration to the belligerent and neutral powers, having proposed regulations founded upon principles of justice, equity, and moderation, (of which France, Spain, and most of the neutral maritime powers, have declared their approbation,) willing to testify their regard to the rights of commerce, resolved that the board of admiralty prepare and report instructions for the commanders of armed vessels, commissioned for the United States conformable to the principles contained in the Russian declaration on the rights of neutral vessels, that the foreign ministers of the United States be empowered to accede to such regulations, at the Congress expected to be called by Russia, and that copies of these resolutions should be transmitted to all American foreign ministers.

On the 12th June, 1783, a committee of Congress, consisting of James Madison, Alexander Hamilton, and Oliver Ellsworth, reported, and their resolution was adopted by Congress, that as the primary object of the resolution of the 5th of October, 1780, relative to the accession of the United States to the neutral confederacy, no longer could operate, as the United States ought not to be entangled in European politics and controversies, but as the liberal principles on which it was established are favorable to the interest of nations, particularly the United

Stats, and ought to be kept in view to be promoted as far as consists with their fundamental policy, should the negotiations for peace comprise any stipulations recognising rights of neutral nations, engagements ought to be avoided obliging the contracting parties to support them by arms. The Congress of the United States, adopting these resolutions, was the Government, Legislature, and Executive, if not Judiciary. The committee reporting the last were, the president, during the war of 1812, the second chief justice, and a personage whose mind is impressed, in war and peace, upon all American annals and institutions. The latter resolution is no exception, in principle, to the first. Previous to acknowledgment of independence, while contending for it in arms, the constituted authorities of the United States agreed to insist by arms and in alliance, offensive and defensive, with the powers of the Northern Confederacy, that free ships make free goods. About to make peace with the only power denying it, the United States would not risk acknowledgment of their independence by protracting war for an abstract principle. But it was part of their fundamental policy, to be kept constantly in view and promoted. Peace is that policy. Rather than entanglement in European strife, especially while weak from infancy, and exhausted by hostilities, the United States postponed belligerent contest for free ships to make free goods. Not to be involved in the interminable conflicts of the old world, they proclaimed neutrality as their permanent policy. But all for peace. When accused by France, in 1793, of acquiescing in British violations of the freedom of the seas, and Washington's secretary of state, Jefferson, answered the French reproach, that though the treaty arrangement by which free bottoms make free goods is less oppressive to commerce, yet it is an exception to the general law of nations—the concession, though wrong, did not abandon the right. To the same impeachment, preferred more angrily by France, in 1799, Adams's secretary, Pickering, by the agency of the special envoys Pinckney, Marshall, and Gerry, still protesting that such acquiescence was only abiding by the law of nations, declared it the obvious interest, and anxious desire, of the United States to change it as

soon as practicable. The French revolution raging, and the United States hardly able to support, necessarily desirous to escape, the wars it caused, these were politic diplomatic pleas. But, become the first people of a new world of nations, with the same peaceful policy still impressed, as ever, on their Legislature and Executive, the war of 1812, with Great Britain, called upon the judiciary to adjudge that among the laws of nations is that by which the ocean is peaceably fortified by a plain principle more restrictive of war than any armament; that the national flag is the same redoubtable signal at the mast of the unarmed merchant-ship, as at that of the man-of-war. To the same judges who assumed power to annul statutes as unconstitutional, to sanction foreign judgments, though on their face palpably erroneous or absurd, and to deny the existence of English common law among the laws of the United States, it belonged to pronounce that American cruisers have no right to look beyond the flag of neutral vessels at sea. Congress have always so resolved, and the executive so governed. Although twice, formerly, when the French government reproached the American with abandonment of the rule that free ships make free goods, its validity was denied, yet it had been the treaty law of nations, throughout Europe, since 1646, recognised by England, France, Spain, Holland, Denmark, Sweden, Portugal, the Empire, Prussia, Sicily, Genoa, and by treaty between Russia and Great Britain, so lately as 1801, to establish then by magnanimous renunciation of odious war usurpations.

If ever disputed, it has been so long and so universally acknowledged as to be no longer debateable, that a ship on the high seas is, in contemplation of law, as much part of the territory, whose national flag she bears, as any fortress in the interior of that territory. The most libertine encroachments of maritime war do not question the sanctity of the vessels of states at peace pursuing their accustomed navigation. By the law of nations, war authorizes one to inflict upon another whatever injuries it can: to seize, confiscate, or destroy its property—kill, capture, and perhaps enslave its people. Nor has any neutral nation a right to prevent such belligerent operations.

It is bound to furnish no assistance to either of the belligerents, but remain strictly and really neutral. But the declaration or waging of war imposes no obligation or restraint upon any but those who are parties to it. It is legislative or executive action confined to those who declare or wage it, having no operation upon other nations. It is therefore lawful for neutrals to trade, after the war as before, in all kinds of merchandise, and with the belligerents. Munitions of war are no exception to this lawful permission. Belligerents may, by force, conquer any part of an enemy's country, and either limit or prohibit neutral trade to it; wherefore, they may forcibly prevent all neutral communication with all places blockaded, invested, or besieged by land or naval forces. With this exception there is no belligerent right to molest neutral property or commerce anywhere, and least of all upon the high seas, which are open to the unrestricted navigation of all nations. The belligerent right of search extends no further than authority to ascertain whether a vessel be really neutral, as her flag indicates; for which purpose a cruiser may examine the ship's sea letters and passports, or other proofs of ownership of the vessel. But there is no war right to examine bills of lading, invoices, or other documents indicating the ownership of the cargo. The declaration of war cannot compel the inhabitants of a nation not parties to the war, to abridge or alter, in any respect, their accustomed commerce. They have a right to trade with all the nations of the world, including the belligerents, as before. However this right may have been impaired by force, or capitulated through fear, it still remains the same. Declaration of war, manifesto, or even direct notice by belligerents interdicting neutral trade, is inoperative upon neutrals, because such restraint can be imposed only by their own government, and they owe no obedience to the commands of any other. The only lawful mode for belligerents to obtain the consent of neutrals to such restrictions is by negotiation with the neutral state. Conditions frequently prescribed by belligerents at the beginning, or during the course, of hostilities, according to which neutrals are directed to conduct their commerce, are not only laws but penal laws, which belligerents

have no right to enforce by confiscation or other inflictions upon persons subject to no laws but those of their own state. Belligerent prescription of such regulations, though too often submitted to, is mere arrogation of sovereignty over persons and places where the belligerents have none. The seas are open and free to all for both peace and war. War gives no national rights, except between parties to it, to supersede the rights of peace; and it is one of those rights by the law of nature applied to nations, by the great preponderance of conventional law, and according to the fitness of things, to trade during hostilities, in all things, not excepting munitions of war, to all places, except those possessed or besieged by one of the parties to it. American prize courts are constituted on principles totally different from those of Europe. American admiralty judges are liable, doubtless, to national, local, and personal prepossessions. But there is nothing in the organization of their courts to warp their incumbents, who are perfectly independent of executive influence.

Proceeding from review of the doctrines to a brief consideration of the practice of these courts, we must not be surprised to find it, like that of British prize courts, entirely different from that of English common law, or even chancery courts. Two hundred years of inveterate practice fix, probably beyond reform, the anomaly, in judicial proceedings, of belligerents sending neutrals, as prizes, to be tried in the courts of the captors. Mixed commissions, created by modern treaties, show that partiality is to be apprehended on all such occasions. Juries, half foreigners, changes of venue, ambulatory courts, and the Constitution of the United States vouchsafing federal tribunals to protect aliens and citizens of other states from judicial and local prejudice, concede the desideratum of impartial justice. It violates the principles of rectitude, to commit arrested neutrals to the rapacity of cruisers, proctors and hostile judges, inflamed by national and sordid passions, armed with irregular power, and tempted by irresistible motives to wrong. Yet, in the report of the English admiralty and common law officers to the king in 1750, confirmed in the letter of Scott and Nicholl, admiralty judge and advocate, to John Jay, the Ame-

rican minister, in 1794, it is said that the proper and regular court for these condemnations, is the court of that state to which the captor belongs. Regarding the whole hierarchy, from vice-admiralty court in colonies to admiralty-judge adjudications in the metropolis, by special commission from the crown, and in last resort, the council of state, the object must be less to do justice than confiscate property. Jurisdiction is not ordinarily assumed over persons and things of another sovereignty, for which, as prize law, the English admiralty judge and advocate give no sufficient reason, and cite no authority. Treaties, as they vouch them, have established what may be termed an anomaly, which does not consist with jurisprudence generally.

It must be confessed, too, that established forms of proceeding in prize courts are of long, perhaps universal, certainly uniform practice, not originating in England, however militant with the genius of her common law. English and American pleadings are open, and may be oral; the rules of evidence, though artificial and complex, are, in outline, plain and kind. A cardinal safeguard is, that no one is bound to criminate himself; and all cruel and unnecessary coercion is discountenanced. In prize courts all this is reversed. The rules of the inquisition, as of old established in Italy, Spain and France, aggravated by English ingenuity and cupidity, were forthwith adopted by the American district, circuit and supreme courts. To seize property and arrest persons on suspicion, not within the territory, nor subject to the jurisdiction of the captor; to dispossess and confine them; compel the dispossessed proprietor, or his agents, to undergo the question by searching interrogation; to presume their liability to condemnation, and cast on them the burthen of proof; deprived of their papers, vouchers and titles; to extort confession and infer guilt from the absence of complete proofs; either to refuse supplemental testimony, or fetter it with costly conditions; to insist that a captured neutral shall be at once prepared with perfect demonstration of ownership; to require little or no proof from the captor; nor, if commanding a public vessel, any security for the expenses of unfounded prosecution; every legal presumption strained

against those entitled to every legal presumption in their favor; strangers in an unknown country; ignorant of the language, the laws and the lawyers—all this perversion of right, however established, is, like admiralty droits, temptation and cover to injustice. If possible for American courts to improve or reform it altogether, it would have harmonized with the theory of American institutions.

The President's instructions to cruisers were to proceed in exercising the rights of war, towards enemy vessels and crews, with all the justice and humanity characteristic of the American nation; orders to be observed at least as fully in regard to neutrals, and enforced as sedulously by courts of justice.

The second volume of this Historical Sketch, explains how trade with the enemy, under his licenses, was extirpated, both by judicial sentence and by act of Congress. The subject will not, therefore, be resumed here further than merely briefly to notice some early decisions in the district courts, by which our cruisers were perplexed at first.

The district judge of Pennsylvania, in September, 1812, condemned an American vessel and cargo, covered by Foster, the British minister's permission, and necessary to be landed in England, with important despatches for Castlereagh, the British Secretary, on a voyage to Portugal: not, however, as trading with the enemy, or bearing his license, but for serving him by carrying despatches and their bearer. The district judge of Rhode Island condemned an American vessel and cargo for sailing under Admiral Sawyer's license, for St. Barts, with ex-consul Allen's certificate that the voyage was intended to supply the British West Indies. But the district judge of Massachusetts released an American vessel and cargo, going from Baltimore to Lisbon, under the same admiral and ex-consul's passport, in a diffident decree, which closed by the judge's confession that he would not be surprised if his conclusion should be found erroneous. Soon after, the district judge of Pennsylvania not only restored an American vessel and cargo, captured under similar circumstances, but, furthermore, pronounced the trade lawful, the license no cause of capture, remittance to the enemy's country no offence, and

capture for such causes punishable in damages. On appeals to the circuit courts, these errors were at once and entirely reformed. Judges Washington and Story adjudged that all trade and intercourse with enemies are unlawful; punishable at common law, and their vehicles confiscable;—which judgments of the circuits were fully sustained by the Supreme Court. All the judges concurring in the decisions on this subject were of opinion that the mere sailing under an enemy's license, without regard to the object of the voyage, or the port of destination, constitutes of itself an act of illegality, which subjects the property to confiscation. It is an attempt by an individual of a belligerent country to clothe himself with a neutral character, by the license of the other belligerent, and thus to separate himself from the common character of his own country.

One of the earliest American captures condemned by these decisions was made by the ill-fated frigate *Chesapeake*, whose disgraceful subjugation by a British squadron, in 1808, seemed to mark that ship as doomed to calamity. Another was made by the brig *Argus*, which, after a brilliant cruise in the British channel, was also taken by the British brig *Pelican*. A third was prize to the frigate *Constitution*. This adventure belonged to persons who became members of the Hartford Convention. After thirty years had elapsed, they petitioned Congress for remuneration for what the courts of justice had condemned, as the laws of all nations require: but the petitioners drew no prize in the lottery of legislation.

In this country an act of Congress (and in England, I believe, an act of Parliament) is necessary to vest the executive with powers which, in many others, are exercised through the instrumentality of what is called police, to arrest, confine or banish obnoxious persons. Accordingly, during hostilities with France, in 1798, a much controverted act, respecting alien enemies, empowered the President, in any declared, and by him proclaimed, war, invasion, or predatory incursion perpetrated, attempted or threatened, to apprehend, restrain, secure and remove the male natives, fourteen years old and upwards, within the United States, and not naturalized, of a hostile

government or nation ; and to establish any other regulations in the premises necessary for public safety. But resident aliens, not chargeable with actual hostility, or other crime against public safety, are allowed to depart, with their effects, as treaties provide ; if no treaty, in such time as the President may declare, according to the dictates of humanity and hospitality. All judges of the United States, and the states, and justices of the peace, having criminal jurisdiction, upon complaint against an alien enemy, resident at large, contrary to the President's proclamation, or regulations, to the danger of the public safety and peace, are authorized to cause such aliens to be arrested, and, on proper examination, banished, or restrained by sureties or imprisonment, till compliance with the magistrate's order. The marshals of the United States are charged with executing these proceedings.

In November, 1813, Charles Lockington, an Englishman, committed to prison in the debtors' apartment, of Philadelphia, by John Smith, marshal of the eastern district of Pennsylvania, as an alien enemy at large contrary to the regulations, obtained a habeas corpus from William Tilghman, chief justice of Pennsylvania, claiming to be discharged. His counsel contended that alien enemies are not prisoners of war, but by the law of nations are protected in their persons, liberty and effects. The President's power over prisoners of war is derived from his constitutional capacity as commander-in-chief of the army and navy ; but the act of Congress, respecting alien enemies, gives all the executive power in relation to them, which is confined to apprehending and confining them for removal only, not to be kept as prisoners, for which purpose alone can the marshals be employed ; and then it can only be effected through judicial agency, not summarily. Which objections were answered by the district attorney, Dallas, who furthermore suggested that state judges have no jurisdiction in such a case. Chief Justice Tilghman maintained his jurisdiction, and distinguished Lockington's case from that of prisoners of war. They are subject to its laws ; brought into a country by force ; have no municipal rights ; nothing in common with its citizens ; no promise of protection. Whereas those, who, although placed in the

situation of enemies, by events over which they have no control, yet may not be enemies at heart, may prefer this to their native country, may have come here to share our fortunes as our institutions invite, acquired property, and been permitted to swear that it is their intention to become citizens; with the implied promise, which all civilized nations are supposed to make, that in case of sudden war they may depart in reasonable time, if they will. There is strong colour for argument, the judge thought, that the president cannot direct the marshal to remove aliens to an appointed place (in this instance the inland town of Reading, sixty miles from tide-water), without judicial intervention. Still, in his opinion, this executive power is summary, because the object of the law is to provide for the safety of the country, for which it might be necessary to act on sudden emergencies. Marshals may apply to judges, but are not obliged to do so. The powers vested by the act of Congress in the president are extensive, and those conferred on the judiciary salutary. Among the evils of war, one is that a people, who wish to preserve their freedom, must make the hands of the executive strong, or the safety of the nation will be endangered.

Lockington, foiled in this attempt at relief, or revenge, by habeas corpus allowed by one judge, renewed it, with no better success, in the Supreme Court of Pennsylvania, where the chief justice's opinion was confirmed. Lockington then appealed to the United States court for that district, by suing the marshal for trespass in confining him. Judgment was not given till 1817. But it belongs to the subject to add here that Chief Justice Tilghman's opinion was again and strongly confirmed by Judge Washington, who held the president's summary power, exercised through the department of state, and executed by the marshal, without judicial intervention, to be the clear meaning of the act of Congress.

The act of Congress respecting alien enemies was, by supplement of July, 1812, declared not to extend to any treaty expired, or not in force the 19th of June, when the president's proclamation issued, which briefly enjoined on all persons in office to be vigilant and zealous in discharging their duties, and

the people to exert themselves in supporting and invigorating all measures of the constituted authorities for obtaining a speedy, just, and honorable peace. The special instructions for enforcement of the restraint of alien enemies were issued by John Mason, commissary-general of prisoners, and from the department of state, addressed to the marshals, and published in the official newspapers.

About the time of the before-mentioned decision in Pennsylvania, the Supreme Court of New York determined that alien enemies may sue in American courts during war with their country, unless it duly appears that they are at the time adhering to the enemy. Even prisoners of war may sue, if resident in the country before and at the time of war, which implies permission from the government. Such is the usage and law of nations, which is part of the common law without municipal adoption. An alien who comes to reside in a foreign country, is entitled, so long as he conducts himself peaceably, to continue to reside there under the public protection, and it requires the express will of the sovereign power to order him away. The rigor of the old rules of war no longer exists, when wars are carried on with the moderation that commerce inspires. It may now be regarded as the public law of Europe that the subjects of an enemy, without confining the rule to merchants, so long as they are permitted to remain in the country, are to be protected in their persons and property. If ordered away in consequence of war, they may leave a power of attorney and collect their debts by suit. A right to confiscate the debts due to the enemy was the rigorous doctrine of the ancient law; but temporary disability to sue was all Grotius seemed willing to allow to hostilities. Since his time, continual efforts have been made to strengthen justice, to restrain the intemperance of war, and to promote the intercourse and happiness of mankind. These doctrines, laid down by Chief Justice Kent, and fortified by numerous quotations and authorities, in verse as well as prose, appeared with the decision of the Supreme Court of New York. Judge Kent's learning and professional zeal, the purity of his long life, and simplicity of his manners, together with respectable contributions to the literature as well as the science of law,

rank him among the most authoritative of American jurists. But as one of the executive council of the State of New York, mixing politics with law, mitigations of common law for hostilities and aggravations of prize law were joined in preposterous confusion. About the same time, the Supreme Court of New York refused summarily to set aside execution where the plaintiff, with judgment obtained before war, resided thereafter in Canada, as an alien enemy. Soon after that decision, the same court determined that war only suspends right of suit till peace.

Every national sovereignty has a paramount right to the military services of its people for defensive war; for which every man is bound to serve and sacrifice life, if need be, for his country; which he forfeits by taking up arms against his government. The trinodial necessity of military service, building fortresses and repairing bridges, preceded feudal tenures. But how best military duty can be exacted, has always been the difficult problem which it still continues to be for us of English descent. Hereditary monarchs, with elective generals, elected by the temporary armies they commanded, according to Caesar and Tacitus, were the military government of the German ancestors of the Saxon forefathers of the British people, from whom North Americans are mostly descended. The Normans carried feuds and knights, with escuage and other feudal liabilities into England. Statutes for arming the people, and county lieutenancies of the king to muster and train them, followed; superseded by royal guards and standing armies, sometimes without act of parliament. It is questionable whether standing armies or occasional levies cost most money, taking a cycle, or destroy most foes. The extolled science of modern warfare, gunpowder, great guns and all, does not kill or capture more than the armies of antiquity; and in most of the wars of the last hundred years, the inexperienced vanquished at first, have come off victors at last over the first disciplined. For the purposes of police, and to suppress insurrections, a distinct class of soldiery is contrary to the theory, and dangerous to the existence of free government. The proceedings of parliament, to deprive the king of the command of even

militia, were among the first steps of the English Revolution: and Warburton, in a note to Clarendon, vaunts that no revolution can be brought about in spite of a brave, veteran and well-disciplined army, indisposed to change. So loyal a monarchist as Blackstone denounces the peril to liberty from any distinct profession of arms; insisting that, enlisted for short periods, soldiers should be intermixed with the people, without separate camp, barricades or inland fortress, and a stated number discharged at intervals, so as to keep up constant connexion between them and the people. When he wrote, about the beginning of our Revolution, the standing army of Great Britain was maintained only to protect royal possessions on the continent of Europe, and the balance of continental power; liable to disbandment once a year, by the annual mutiny act for adding another year to its existence. As long as Rome was a great and growing republic, the soldiers were the people, says Montesquieu, until Marius laid the foundations of usurped empire by enlisting the rabble of Italy into the army. It is supposed that no state can maintain more than one-hundredth part of its population in arms and idleness. Yet experience teaches that, without military segregation and subordination, one body and one will, belligerent science and operations cannot be perfected. Such an institution, unknown to the British constitution, according to Blackstone, Hamilton, in the *Federalist*, avers is not an unconstitutional standing army in these United States, unless kept up by the executive alone, without sanction of the legislature.

No trace of Alfred's supposed plan of a militia for England is extant; nor was it till as late as 1757, that the militia of that kingdom was established as since known, viz., merely local and defensive troops, seldom liable to be marched out of their own counties, never out of the kingdom. Hallam, in his *Constitutional History*, inveighing against standing armies, confesses, or complains, that British militia have become unpopular and burthensome in England, without diminishing the standing army, and serving little more than to furnish recruits for the regular army, and in France the magnificent national guard created by La Fayette has been disbanded by President Bonaparte.

So militia have proved a difficult subject in these United States; indispensable and intractable, formidable as suffragans, not always as soldiers, often worthless, sometimes invaluable, but at all events the most expensive troops. The disaffected government of Massachusetts, as soon as war began, at once suggested a constitutional misconstruction to thwart belligerent operations and embarrass the federal government on the debatable ground between State and United States authority over the militia. On the 1st of August, 1812, Governor Strong called on the Supreme Court of Massachusetts for their official advice whether, first, the President or the Governor was to judge if the exigency had arisen requiring the Governor to place the militia in the service of the United States, at the requisition of the President; and, secondly, whether when the exigency is determined, and the militia employed accordingly, they can be lawfully commanded by any but militia officers, except the President. Three of the judges of the Supreme Court, Parsons, the chief justice, called, not without reason, from his great learning and talents, a Giant of the Law, with two associates, Sewall and Parker, who afterwards each in turn succeeded Parsons as chief justice of Massachusetts, did not hesitate to pledge their characters and responsibility to the gross absurdity of answering both propositions acceptably to the disaffected State and annoyingly to the federal government.

Connecticut coincided in these palpable heresies, which were not only rejected, but denounced every where south and west of New England. When submitted by a case of elaborated pleadings to the Supreme Court of New York, in 1814, the opinion of that court, delivered by one of its ablest and boldest judges, Spencer, declared that the President, and he alone, is made the judge as well of the happening of the events on which the militia may be called forth, as of the number, time, and destination of that force. It would be monstrous, he added, to countenance the construction contended for, that whether the President acted correctly in making his requisitions might be drawn in question by every subordinate officer. Ambrose Spencer, then an associate, afterward chief justice of the Supreme Court of New York in its best days, was distinguished

by the superior strength of his judicial decisions. With sons in the army and navy, bravely serving their country, he felt the odium as well as unsoundness of the Massachusetts militia positions, which are exposed by William Rawle in his treatise on the federal constitution. Another New York militia controversy during the wars, procrastinated till 1827, before final decision by the Supreme Court of the United States, at last, by the unanimous judgment of that court, pronounced by Judge Story, a Massachusetts lawyer, put to rest for ever the factious militia objections originating with disaffection in that state. Its constituted authorities suffered part of the state to be taken by the enemy without resistance; and if more extensive invasion had occurred there, Governor Strong, with his judicial advisers, must have found their anti-federal recalcitration still more paralyzing.

Another militia difficulty, propagated from the same quarter, was, whether they are liable for more than local, sedentary and defensive or domestic service; not to be marched from their own vicinities — at all events, not out of the United States. English militia would hardly submit to be transported beyond their own insular bulwarks, to wage continental wars for Hanoverian possessions, or the balance of power. But neither the Constitution of the United States, acts of Congress, or the nature of things, suppose the power to repel invasion, or to repress insurrection, to be without right to go from one State into another, or transgress the riverain or ideal boundaries of the United States. When Washington marched to suppress an insurrection in Pennsylvania, he commanded militia from several other States, with their several Governors at their heads. Militia composed the greater part of the armies of Hull and Harrison, when they invaded Canada, and of Jackson, when he penetrated into the Mississippi Territory. The acts of Congress expressly authorize the President to call out the militia of one State to suppress insurrection in another. Whenever in actual service, the militia are under the discipline of the army of the United States, their pay and punishment are the same; the President is their commander-in-chief; and if he may judge when it is necessary to call them out, he can likewise best judge whether offensive and invading warfare

may not, according to circumstances, be the best method of defending the country.

In a case which originated during the war, though not finally determined till 1820, it was resolved, by the Supreme Court of the United States, that the power of militia courts-martial to punish men disobeying the President's call to service is not exclusively federal, but that States may, by law, authorise such courts, when Congress has not done so: and also, that the President may call on any officers of the State militia for a draft of them. Federal control and martial law do not attach to militia till in actual service, when they become exclusively national troops, of whom the President is commander-in-chief, as if part of the army of the United States for the period of service. The opinion of the court, delivered by Judge Washington, together with gratuitous arguments by Judges Johnson and Story, are not without the judicial diversity inseparable from political jurisprudence; while that of the court, nevertheless, harmonises federal with State authority, as is always desirable, affirming the judgment of the Supreme Court of Pennsylvania, always, since Penn first suggested union, studious of that national compact. That court likewise adjudged that all men are bound to serve in the militia, if inhabitants, and not by law excepted. Some other adjudications of militia law by the courts of the United States, occasioned by the war of 1812, not involving constitutional or fundamental political questions, do not fall within the scope of this Historical Sketch.

On the 7th of March, 1814, the committee on the judiciary reported to the House of Representatives a bill prescribing the mode of commencing, prosecuting, and deciding controversies between two or more States. Soon afterwards, on the 12th of that month, the National Intelligencer published at large another important bill, reported from that committee, to amend the judicial system of the United States. As neither of these bills was taken into consideration, it is superfluous to notice them further.

During more than thirty years of profound peace, secured by less than three of that war, the United States had no opportunity of shewing that, as a belligerent nation, they concede

to neutrals the rights which, as a neutral nation, they required from belligerents. At length another war was provoked and begun by Mexico, as history will eventually record, rectifying much European, especially English, and some American misrepresentation on that subject. The United States have never been aggressors. Both their foreign wars have been defensive, not undertaken till after long forbearance; the Mexican not less than the English. And the great cause of freedom and humanity, vindicated against England, was further advanced by hostilities with Mexico. Liberty of the seas, mitigated warfare, principles of peace, and rights of property, vindicated against Great Britain, are the most memorable, beneficial and lasting conquests of the Mexican war, not yet outshining, but eventually to eclipse, its splendid victories and golden aggrandizements.

Off the formidable fortress of St. Juan d'Ulloa, the American squadron, blockading La Vera Cruz, was overlooked by floating, perhaps frowning, broadsides of the navies of Great Britain, France, Spain, Holland—most of the maritime powers of Europe; whose consular flags, streaming from the city, also denoted commercial protection to neutral nations. If those of the northern European naval powers were not there, their sympathies were with us. An American army, close packed on board their squadron, was commanded, both army and navy, by lineal martial descendants of the war for sea liberties, wrested from England: both of them of the few who then, by sea and land, nobly proved that triumph comes of daring, as prudence is providence, and achievement the child of discretion and audacity united. In the little squadron which hurried to sea the moment war was declared, in 1812, fearful, only, that its going might be forbid as too perilous, sailed an obscure and modest youth, David Conner, soon captured while conducting the first British prize into an American port; who, in 1846, commanded the squadron operating against Mexico. On the deck of his frigate, "proudly eminent," stood the ostentatious young brigadier, Winfield Scott, whom two years of continual reverses, in 1812-13, only nerved for further effort; and when the army seemed incapable of success, heading other brave spirits, like the navy, almost in spite of superior orders, he led

them, all caparisoned in their most conspicuous garb, into the mighty enemy's domain, resolved to break the talisman of British invincibility, or perish in the trial. Future history, real and legendary, will illustrate the combats of those American Horatii, by sea and land, who challenged superior numbers to unequal combats, on which national independence and maritime liberty depended. The dragon's teeth they sowed bore their first fruits in Canada, and their second in Mexico.

Never have war's annals celebrated a combined military and naval operation so successfully conducted as the landing of Scott's twelve thousand soldiers from Conner's squadron. No jealousy of corps, no strife of superiors or insubordination of inferiors, scarcely any casualty interfered with the admirable regularity and marvellous facility of that descent of the north upon the south, the white upon the brown men. Magnificent equatorial sunshine gilded northern arms, inexplicably favored by southern reticence, as from a bay of storms, then placid as a prairie, without molestation or delay, the army stepped from the navy upon the sea of sands ashore; and seamen emulating soldiers, all eagerly at once cheered their commanders to assault a place which it was supposed would cost a thousand slain to carry by assault. Wilkinson charged Scott, in 1814, with the odium of "*a butcher's bill*" for his bloody exploits at Bridgewater; who, become veteran, with scarce any loss of life except hostile, by a few days' scientific strategy, with naval co-operation, subdued both the strong city and the fortress deemed impregnable. Paris, London, and St. Petersburg, all the capitals of the old world, where force maintains order and peace is mortgaged to victory, listened respectfully to the republican trumpet, at whose blast fell the walls of Mexico. Nor will the considerate of this new, cheap, poorly-armed nation, be insensible to the effect of war as sometimes the only peace-maker. But if this republic remains faithful to its institutions, its richest gratifications from hostilities will be the pacific principles proclaimed, signalised, and effectuated by those with England and with Mexico. By war with England the dominion of the seas was, at least, beat *off*; in that with Mexico it was entirely laid *down*. For the first time the golden rule of peace and property

recognising the sea as the dominion of no nation, but common to all alike, was inaugurated by the American navy proclaiming it from their mast-heads, in the presence of those of England, France, Holland, and Spain. That free ships make free goods was then reinstated, after long abeyance and much denial, by American vessels of war, with all war's rights and powers, declaring to English, French, Spanish, Dutch, and all other merchant-vessels, that their flags protect their cargoes. I am not able to aver, by the record, that instructions from government directed our vessels of war to acknowledge that free ships make free goods. If not, and the commanding naval officers nevertheless did so, as is positively affirmed by Lieutenant Semmes, in his instructive work on that war, so much the more do commanding officers Conner and Perry, without superior orders, making that acknowledgment, show how deeply engraven the principle was in naval understanding by the war of 1812. Nor do I know whether the English modern perversions of the established regulations of contraband were expressly overruled by orders from our government. But no prize-court, or public sentiment in the United States would have tolerated attempts to enforce English usurpations in this respect, contradicted by all American commercial treaties. As to blockade, the letter of the secretary of the navy, Mr. Bancroft, of the 12th of May, 1845, was in terms explicit that blockade must be strict and absolute, by adequate force, with due notice to neutrals, giving as much publicity as possible to the declaration, and allowing neutrals already in port twenty days to leave it; and respecting English mail steamers, to follow the precedent set by the French in their recent blockade of Vera Cruz with regard to them. So strong was the American naval sentiment on that subject, that when an officer of the war of 1812, Commodore Biddle, in 1847, found that a junior officer had proclaimed a blockade more extensive than he had war-vessels to enforce, the senior at once rescinded the junior's proclamation. No search was attempted but such as could not possibly give offence. The British frigate *Endymion*, one of the squadron that captured *Decatur* in the *President*, in 1815, was the British flag-ship off La Vera Cruz in 1846-7. Instead of the inimical

and uncomfortable feelings that once estranged English from American naval officers, the most courteous and the kindest intercourse prevailed, as always should, among them. The British flag witnessed not the abdication, for it never assumed, but the entire voluntary renunciation, by the American flag, of those predatory practices by sea which war ashore disowns, and which are always pregnant with strife, ill-blood, hostility, and spoliation. The American navy seized, with proud alacrity, their first opportunity of practical demonstration that what, as neutrals, they require of belligerents, as belligerents they spontaneously concede to neutrals. They did more in the Gulf of Mexico to vindicate, practically, maritime peace and property than all the many peace societies that have for ages in vain striven theoretically to endoctrinate mankind. In the Gulf of Mexico, an American close sea, they reversed Selden's *Mare Clausum* and Woodeson's more modern, but scarcely less objectionable, doctrine that the sea is part of the British *realms*.

The Mexican not being a maritime war, afforded few occasions by sea-prizes for American judicial notice of maritime questions. Only one prize case came before the Supreme Court of the United States. But in that one, with Scott's decisions quoted, his perversions of blockade and of commercial residence were not sanctioned, but the liberal principles of modern war law unanimously adjudicated. The humane spirit of Marshall prevailed in a judgment to which, if he had lived, Kent must have yielded his fondness for Scott's harsh law. If Great Britain, as there is reason to hope, contradicted by all the world in these sea-rights, conforms to their mitigation, as thus enforced in fact and by law, maritime hostilities must be much abridged, with all their burdensome charges, their violations of inoffensive property and profitable enterprise, their intolerable abuses and inflictions. The benign influence of commercial intercourse will be vastly increased. Commercial prosperity will be the creation of industry and enterprise, not of war and spoliation. Peace will profit more than war. Acts of peace will be more glorious than feats of arms.

Without any design of describing the Mexican invasion, there

belongs to this view of its marine effects some further account of the improved warfare by which it was achieved ashore.

After many years of menacing recriminations, the stagnating *vis inertie* of bodies politic still benumbed Congress, when startled by the presidential message that Mexico had drawn blood by beginning hostilities on our soil. On the spur of that excitement, after, with great unanimity, passing the act declaring war, Congress soon relapsed into lethargy, parsimony, and faction, and with difficulty enacted indispensable provisions. Upon General Taylor's complaints to the secretary of war, that murders and other shameful atrocities were committed among the troops, which the articles of war did not reach, and he had no authority to punish, the secretary in vain called on Congress for adequate legislation. Nothing was done. After Taylor, by his inaugurating victories, broke the Mexican spirit, and paved the way for Scott's still more brilliant triumphs, one of his first general orders when he took command at Tampico was to supply our default in Congress by proclaiming martial law, for the prevention and punishment of many crimes and offences not provided for by the rules and articles of war enacted by Congress in 1806. Various homicides, theft, rape, and other offences, desecration of churches, cemeteries, and other religious edifices and fixtures, interruption of religious ceremonies, destruction of either private or public property, except by superior orders, were accordingly interdicted by martial, superadded to established military law; and its administration enforced with impartial justice on Americans and Mexicans alike, by military courts. General Worth from the advance of the army informed General Scott that martial law, in that spirit, administered, "took admirably, and produced more decided effects than all the blows from Palo Alto to Cerro Gordo." The English minister at Washington, Mr. Pakenham, who had been many years in that capacity in Mexico, declared his opinion that it would prove impossible for the American army to make good its way from La Vera Cruz to the City of Mexico. Baron Geroldt, the Prussian minister at Washington, who also had been in that capacity in Mexico, pronounced the Mexican troops excellent soldiers. Which authori-

tative doubts of American success are not mentioned to disparage Mexican arms, or exalt their reversal. *Vix ea nostra voco* may be said of Scott and Taylor's victories, when dwelling on the much greater triumphs of humanity, of property, of religious and political liberty, which attended the march of the American armies. Numerous trials by their courts-martial were published, and are in print, exhibiting an administration of justice not surpassed by that of civil tribunals. Accused Mexicans and Americans were tried and acquitted, or condemned, fined, imprisoned and executed with undeniable impartiality. Property was held sacred. Churches were inviolate. That only and best police of all American government, a free press, accompanied the army, every where publishing all transactions. No American officer pillaged or spoliated with impunity. No Mexican justly complained without redress. Booty was an unknown military acquisition. The invasion of Mexico, called also New Spain, by one hundred thousand American troops, produced no Mexican complaints of war, but of defeats. By French invasion and Spanish and English defence of Old Spain, horrible rapine, assassinations, and atrocities of all sorts perpetrated in dreadful conflict, contrasted with American humanised hostilities in Mexico, seem to be scarcely acts of the same mankind.

So forbearing was the method of warfare in Mexico, while waged with never-failing victories, large hostile occupations of territory and occasional assessments of considerable forced contributions for the American army, yet with plunder so rare, supplies so punctually and fairly paid for, religion and property, both public and private, so uniformly respected, that Mexico, not undergoing the usual hardships of invasion, feeling the burdens of her own government and the distress of her population so much harder to bear than the inflictions of such conquerors, there was reason to apprehend, preferred such war to ordinary peace, and would protract the contest as an amelioration. It became, thereupon, a serious question for the American government, how to conduct so as to abridge the war; and for the first time in the annals of hostilities, relinquish, instead of enlarging, conquered territory. While war was waged with complete success on terms of forbearance unknown in European war-

fare, an original and pacific modification of hostilities was furthermore introduced by the president's (Polk) instructions of the 23d of March, and the secretary of the treasury's (Walker) order of the 30th of March, 1847. Predicating the conqueror's unquestionable right to levy contributions on enemy's property for defraying belligerent expenses, to establish provisional civil government, and prescribe terms on which commerce might be permitted with and in the enemy's possessions, that generally much abused, and merely military power, was regulated so as to supply the conquering troops with funds, without arbitrary or burdensome contributions levied on the vanquished. All nations, instead of being forcibly excluded, or seduced by exceptional clandestine licenses, were openly invited, English, French, Spanish, and other neutrals, to trade with Mexico, while occupied by American hostile forces; paying a fair impost on their importations, which was collected by naval and military American officers, and applied to the support of their troops. That original and admirable modification of belligerent power completed the humane and exemplary hostilities by which this country conquered peace, and with it large acquisitions of territory; which, great as they are, might and would have been much greater but for the spirit of moderation which actuated the American government.

As a member of the select committee in Congress, charged with a report on the subject of that novel fiscal belligerent improvement, I dissented from the Executive, deeming the President alone authorized to enforce the imposts laid on Mexico; because I consider that the clause in the Constitution, providing that Congress is "to make rules concerning captures on land and water," confers distinct powers not merely executive, but to be executed by an act of Congress, approved by the President. With that exception, in which I differ from many better able to judge, the power appeared to me in excellent keeping with the whole warfare waged. And as a member of Congress, sharing my humble portion of the labors, the risks and responsibilities of both the British and the Mexican wars, I crave leave to add to this Historical Sketch of the first, with some reference to the last, that I have never felt reason to regret either war.

Frequent, protracted, ambitious war is national calamity. Such war is inconsistent, if not incompatible with our popular institutions, of which peace is the vital element. But, unless biassed by the interest I felt in the two mentioned, they were both beneficial to the patriotism, to the Union, the republicanism, and, altogether, the progressive development of this, it must be confessed, however, yet experimental empire. Still, whatever be its duration or its fate, this American Republic has waged wars for rights and upon principles which neither Napoleon, Wellington nor Nelson ever practised, or indeed conceived. In no development of humanity has beneficial progress been more signal than by this country in the rules, practices and doctrines of that period of belligerent excitement, when all rules and doctrines are apt to be disregarded.

CHAPTER III.

FRENCH CONSULAR REPUBLIC.

1799-1804.

Tendency of the French Revolution to representative Government—French in America—Reciprocal Influences of American and French Revolutions — Bonaparte's Arrival from Egypt and irregular Election as Chief Magistrate — Consulate — His Personal Habits, Temper, Appearance, Manners — Temperance—Economy—Religion — Politics — Family—Lætitia Ramolino, Mother of the Bonapartes — Arrighi — Cardinal Fesch — Elisa Bacchiochi—Her Daughter Camarata—Pauline—Caroline—Achilles and Lucien Murat—Joseph's Wife and Family—Bonaparte's first Marriage—Josephine—Hortensia and Eugene Beauharnois—Lucien Bonaparte—His Family — Louis — Jerome — Joseph — Treaty with the United States — Treaty of Amiens—Cornwallis—Consular Government—War by England — Royalist Plots—Count d'Artois—Pichegru—Moreau—George Cadoudal — Duke of Enghien — His Execution—End of the Republic and beginning of the Empire.

SINCE the English Revolution of 1688, and religious reformation, free institutions, recognized as part of British government,

traditional and predominant in the United States before their independence, have been constantly progressive in most of Europe, especially in France. The French Revolution of 1789, following the American of 1776, after sixty years' travail, is not, perhaps, yet at an end. Kings, monarchs, tribunes, directors, and emperors, have been expelled; aristocracy has been extirpated, and equality established. But liberty, tranquillity and republicanism, as liberty exists in England, tranquillity and republicanism in America, seem to be still impracticable, if not inconceivable, in that highly civilized and superior country, so long giving impressions to others; which is not surprising when the prepossessions of a thousand years are to be uprooted. Years are of small account in the annals of nations, which tell by centuries. But for more than the last half century, the French have been habituated to popular establishments; oftener than any other country in the world, not excepting this, have chosen chief magistrates by absolutely universal suffrage; and in the attainment of equality, which is one great element of freedom, they are a free people — much freer than the English, or even the Americans. In accomplishing that great emancipation, their dictator-emperor was a principal agent. For heroes and sages, Napoleon was well aware, are instruments of overruling Providence to bring about unlooked-for results; unconscious destroyers of what they labor to create; and creators of what they endeavor to destroy. French monarchs, Bourbons and Bonapartes, are a necessary part of the means to reform and meliorate, by forcibly destroying venerable prejudices and inveterate habits, and introducing equality with liberty among the most influential people of Europe. Both time and force were indispensable; time, the greatest of all innovators, and surest, if not the only sure; and the force of reaction against despotism when re-established, as by Napoleon and Charles X., as well as resistance to it when inherited, though mitigated, by Louis XVI. The French, deemed uncommonly impressionable and inconstant, are still amazingly the same identical people described by Cæsar, when he overran Gaul two thousand years ago. Napoleon called himself executor of the will of the authors of the French Revolution, with whom the establishment

of equality began, which he completed, and of liberty, which he labored to destroy, or at least put off. Louis XVIII. was obliged to concede many free institutions, which Charles X. was expelled for attempting to overthrow. And Louis Philippe was dethroned by a republic, which, however imperfectly, had been sixty years inchoate.

There are intelligent, virtuous and religious men in all countries, who deny that liberty and equality, freedom of the press, universal education and suffrage, and other mostly considered advantages of republican or representative government, are meliorations of the condition of mankind. Notwithstanding Napoleon's much-vaunted prediction, that men would soon be Cossack or republican, the present century witnessed Russian conquerors in the capital of France less destructive or barbarous than French in that of Russia. Still, as a fact, it is indisputable that, since the American and French revolutions, there are more liberty and equality, greater diffusion of property and education, less privilege, the poor are richer, the rich are less so, all government is milder and more popular, than before; and the universal tendency, American, European, Asiatic and African, is to still further progress in those ways. Whether beneficial or not, the progress is undeniable, and probably irresistible.

This chapter, then, proposes American views of European and universal progress, if not originated, at least much accelerated, and best exemplified, by America; of which progress kings and emperors have all been agents, the most puissant and effectual of all. Franklin, Adams, Jefferson and Jay, conspicuous leaders in American progress, both learned and taught *it* in Europe. Lafayette, Louis Philippe, Volney, Talleyrand, Chateaubriand, Joseph Bonaparte, and other less conspicuous, yet distinguished French, as late as Tocqueville and President Bonaparte, enlarged European free thoughts by personal communion with American actuality. The most formidable of despots, with all his heart and might, not only extirpated privilege and corroborated equality, but provoked and promoted liberty by equality, and, by reaction against his own tyranny, disparaged monarchy. By bolstering three brothers and three sisters on

tottering thrones, creating bastard aristocracy by spawning nobles without privileges, the only sure support of nobility, and at last by divorcing a plebeian French wife, representing popular sovereignty, in order to marry a foreign princess born to divine right, thus rejecting the corner-stone of his monarchy, Napoleon brought contempt, debility and insecurity on royal and noble establishments. The crown which, by a snatch, emblematic of his empire, he placed on his own head, he environed by eight more crowns, inconsistent with all examples, which, by force of arms, he put on the heads of his own household;—a Spanish crown on the head of his brother Joseph, a Dutch one on that of his brother Louis, a German on that of his brother Jerome, a Neapolitan on one sister's head, a Tuscan on another sister's, an Italian viceroyalty on a step-son, a Baden ducal crown on a wife's cousin, and the only brother who would not submit to wear a crown, he drove into exile in an enemy's country. Nine crowned heads in one family, born to poverty and educated by charity, not only declared but anxiously designed to be developments of the revolutionary principle of progress, could hardly fail to promote that democratic emancipation from royalty which is the great characteristic of this age. Invaded Spain was freed by it from ecclesiastical and political abuses. All Spanish America revolted from royal colonial to free government. Incomparably the greatest and wisest hero, and by no means one of the worst men of modern times, who, by such infatuated furtherance of revolution, laid republican representative foundations broad and deep, ascribed, in the agonies and bitter repentance of downfall, imprisonment, and lingering death, his ruin to the Spanish invasion and Austrian marriage, to noble and royal connexions, crowns, coronets and decorations, which, he said, concealed with flowers the abyss into which he fell. His royal French predecessor, and his three royal French successors, the Bourbons, by errors as egregious and fatal as those of Emperor Bonaparte's, helped him to alienate mankind from monarchy, and turn their minds to representative republicanism, as more rational and respectable. If, after sixty years of revolution, should such be the result, no reformers will have contributed so much to it as iconoclastic monarchs. By repre-

sentative government, I understand that which is not ruled by monarchs by divine right, but by popular suffrage. A monarchy, like those of Belgium and Brazil, and perhaps England, may be freer in its institutions than a republic. The Roman Empire was a republic with emperors. A republican chief magistrate may be more powerful and more absolute than a king. But where the people are sovereign, and not the king, except as representing the people, that may be deemed representative and popular government. In that view of the subject, Great Britain, Spain, Portugal, Sardinia, Belgium, Prussia, and some of the German kingdoms, are representative, though without elective chief magistrates. In France, suffrage is really universal; and however arbitrary the government may be, it is not absolute by divine right, as before the American and French Revolutions. Americans are apt to think that revolution does nothing, when it dethrones a king, unless it establishes a democratic republic in his stead. Whereas such kingly governments, as several established within the last sixty years, are both representative and free, though not democratic.

Avoiding the beaten track, historical and biographical, of the many writers who have described these events and personages in their European aspects, my purpose is to present their American connexions and influences. French royal interposition in the American revolution is familiar knowledge; and American personal agency in that of France. But French princes and personages coming to or going from America, and performing important parts in France, may be shown in American lights, and developed with republican edification. Laroche foucauld, Louis Philippe, Talleyrand, Chateaubriand, Hyde de Neuville, and other eminent royalists; Volney, Brissot, La Fayette, and Moreau, republicans; Joseph Bonaparte, with several more of his family, besides Grouchy, Clausel, Real, Regnault, sons of Ney, of Lannes, and of Fouché, outcasts, in America, of the French Empire, recurring from Marbois, in 1779, to Tocqueville, in 1832, supply French incidents and characters for American history, on which, though the last chapter cannot perhaps be given, yet several prior ones abound with American instruction.

Napoleon's invasion of Spain, and attempt to seat his brother Joseph on the Spanish throne, (by its transatlantic reactions as much American as European,) were events in full progress during our war of 1812. Napoleon's invasion of Russia that year, was not only simultaneous with our war, but by many Americans, and nearly all Englishmen, our resistance of England was said to be the direct and time-serving offspring of his attack of Russia. Hyde de Nieuville, in 1813, from New Jersey, engaged Moreau to embark for the north of Europe, there, in Russian service and uniform—English pay and cause—to take up arms against Napoleon and France. The first subjugation of France, and abdication of the emperor, in April, 1814, took place in the midst of our contest, his martial star waning just as ours radiated. His final overthrow and abdication, in June 1815, occurred before our hostilities ceased by the treaty of Ghent. His selection of this country for his residence, abortive attempt to come here, surrender to Admiral Hotham, just from our coast, and transportation to St. Helena, in custody of Admiral Cockburn, infamous in American hostilities, are hardly foreign to our annals. His brother Joseph lived five-and-twenty years among us, frequented by eminent Frenchmen, at his residence in New Jersey. Mexico tendered, in New Jersey, to him who had declined the crown of Lombardy, and wore the crowns of Naples and of Spain, a fourth and an American crown. La Fayette there proffered Joseph Bonaparte his co-operation to dethrone Louis XVIII. Thence Lallemand went to found a nation in Texas; Grouchy and Clausel to plant vineyards in Alabama. Thence, when La Fayette made Louis Philippe king, Joseph protested, and sent one of Fouché's sons to Vienna, to bring forth the young Napoleon. In these events America is concerned, and was engaged, whose truths remain to be made known with American independence, in their European consequences and universal moral. And Joseph Bonaparte's intercourse, while in England, with his brothers Lucien and Jerome, and with his nephew, now president of the French Republic, and with several of the prominent French then striving to restore the empire, since conspicuous republican representatives, belong altogether to the same narrative.

For some of these disclosures mine are accidentally peculiar advantages. Of the Spanish American revolutions, except that of Mexico, I am aware of no complete history, and my limited information is mostly derived from books or other publications. But of the Spanish invasion, its antecedents, accompaniments, and consequences; of the advent, government, real character, abdications, overthrow of, and of the family of Napoleon, I am better informed, by five-and-twenty years' intimacy with Joseph Bonaparte, than any other who has written in English concerning them. Frenchmen, if acquainted with the realities known to me, could hardly publish them without partiality, nor Englishmen without prejudice. My source of information being Bonaparte's most intimate and confidential brother, cannot be entirely free from bias, neither mine or his; for, as Napoleon was a man exceedingly fascinating, so Joseph was very winning. Yet I deem it a great American qualification for these disclosures to be free from that awe of sovereigns, and deference for personages, which in Europe are traditional impressions that can hardly be got rid of. From Joseph Bonaparte's familiar and confidential personal intercourse; from his library, containing all the modern memoirs and other French historical works, constantly explained by him and margined with notes in his writing; from, therefore, the highest, though they may be biassed, sources of information, I derive my materials.

A French republic had survived dreadful intestine commotions and foreign wars during seven or eight years, when, in 1799, during our contest with France, England united Russia with Austria in another coalition against Republican France. Souvaroff drove the French from Bonaparte's conquests in Italy; an English and Russian army undertook to reconquer Holland. On his way through Switzerland to France, Souvaroff was defeated by Massena, at Zurich, the 19th of September; and on the 24th of that month the Duke of York was still more completely worsted by Brune, in Holland. Notwithstanding that revival of French affairs, the plural executive, by a quintuple directory, proved inefficient and unsatisfactory, one of the five directors, Barras, a handsome, pompous, plausible, rapid, worthless nobleman, sold himself to Louis XVIII., who

was not without reason to expect the restoration of what he always called and considered *his* throne; when, on the 14th of October, 1799, Bonaparte most unexpectedly returned from Egypt. Never to make or force an opportunity was one of his axioms; but when they present themselves, instantly to seize and make the most of them. After a voyage and escape from capture at sea, by incredible chances, his arrival in France, just then, was one of those timely strokes of fortune that seldom occur. A few months, either sooner or later, he might have been tried by court martial for leaving Egypt, and utterly disgraced. But just exactly when it took place, the occasion was supremely propitious. Accustomed to be ruled by some heroic master, Mirabeau, Robespierre, or Danton, in the tribune, Dumouriez, La Fayette, or Moreau, in arms, the French hailed Bonaparte, with enthusiastic welcome, as their chief. Still, although discontented with their rulers, the nation was republican. Aristocracy insists that France requires or prefers a monarch. A strong executive and government they admire and require. But during thirteen years, from 1790 to 1803, they were used to the forms, terms, and some of the substance of republicanism. As republicans they fell in love with Bonaparte, and chose him at all events; but not for a king, or with royal attributes. Multitudinous attachment to a person, sometimes blindly and inexplicably conceived, manifests itself like irresistible sexual love for an individual, enrapturing whole communities as it does one or two of them. Bonaparte was so popular that leaders were constrained to follow the populace in not an irrational or vulgar attachment, much less sectional or merely metropolitan. The health laws, in rigorous force against Egypt, that land of the plague, were, by common consent, suspended for his landing at Frejus; his journey thence to Paris was a continual ovation; his arrival at the capital, the 16th of October, 1799, transported that city with joy. Sedate and thoughtful men were intoxicated with delight. Of the five directors three, Barras, Sieyes, and Ducos, resigned to make room for him as chief magistrate. Sieyes, who, as Joseph Bonaparte has told me, and most men agreed, was not only a highly intelligent, but an uncommonly firm and

resolute republican, with Ducos, another member of the Directory, concerted with Bonaparte the measures for his elevation to the chief magistracy. The only two, a minority of the five directors, Moulin and Gohier, who did not join in the movement, were imprisoned in their official residence, the Luxembourg palace, where Moreau, with detachments of soldiers, condescended to confine them. To further Bonaparte's elevation, La Fayette, not long before liberated by Bonaparte's first treaty (Campo Formio) with Austria, from his long imprisonment at Olmütz, appeared gratified with his promotion; and till his chief magistracy was prolonged from one year to ten, continued on friendly terms with him. Even then, when he publicly gave a qualified vote against the change, he wrote to Bonaparte in strong terms of gratitude and admiration, but requiring that liberty should be guaranteed before he would consent to a Consulate for life. Still, as it was, he voted for Napoleon Bonaparte as the fittest for the place. The noble and winning Talleyrand, republican secretary of state for foreign affairs, with his infallible prescience of forthcoming power, set politicians and fashionable circles the example of political and hospitable worship of the rising sun, in whose beams nearly all the leading civil and military men, together with the whole crowd of waiters on power, and seekers of fortune, prostrated themselves in emulous adoration. Talleyrand, a citizen of the United States, and of the State of Pennsylvania, and Moreau, an American denizen, were among the principal promoters of Bonaparte from military to political chieftainship, as La Fayette, another American citizen, was, with Talleyrand, a chief agent in effecting his downfall. More than any individual contribution, however, American principles of freedom were operative in his establishment, then professed and practised by him, as by royal appeals to the people of Germany and the other countries, roused and combined for his overthrow, in 1814, those principles were more effectual than arms in overcoming him. In the power of popularity, in all but denomination and form, Bonaparte was master in 1799. So universal, instantaneous, vehement, and authoritative was public attachment to him, that the government had hardly any option but to float with the

current which it would have been vain to endeavor to withstand. Nor was the favor either merely military or metropolitan, much less plebeian, but the sentiment of all classes and the whole nation, so strong as to be irresistible. The executive directory, the ministry, many members of the legislative bodies, the scientific, the aristocratic, the people, all leaped together to embrace Bonaparte, concerted and hurried what may almost be called his election rather than usurpation, for it was the ardent and spontaneous desire of nearly all France.

The legislative bodies, however, the Ancients and the Council of Five Hundred, as well as Siéyes and others of the Executive, were not only republican, but contained many of the most radical revolutionists, nearly all opposed to royalty, especially to a Bourbon king, devoted to the reforms introduced by the revolution, and who would have never submitted to Bonaparte as a monarch by any title, or with monarchical attributes. Lucien, an inflexible democrat of many years' standing, was president of the Council of Five Hundred, of which Joseph was also a member, then of declared republican sentiments, and during all his life, even as king, constantly opposed to many royal and aristocratical establishments, which he sincerely disliked and abolished in Naples and Spain. To overcome the resistance of the legislative bodies to unconstitutional or anti-republican change, Joseph performed his part to make Napoleon a republican chief magistrate, by those conciliatory means which were Joseph's uniform and natural predilections in all stations and circumstances. Lucien executed his part of the same design with the bold decision that never failed him. Napoleon performing his part with irresolution, nearly defeated the whole arrangement. It may be that then, and even before his return from Egypt, he contemplated a crown for his brows. He was not a democratic republican, if republican at all; but, disgusted with the revolutionary excesses, perhaps deemed a monarch necessary to France. Joseph's sentiments were extremely liberal. Lucien was certainly inimical to monarchy; and Napoleon, if he ambitioned a throne, was obliged to disclaim and oppose divine right to it, because popular sovereignty was his only stepping-stone. Representative government, in some

form, probably monarchical reformed and defined by a written constitution, was indispensable to his elevation, whether republican or monarchical.

Within three weeks after Napoleon's arrival from Egypt, the movement was contrived and effected. On the 10th of November, 1799, the Council of Ancients, by resolution, in order to avoid the disturbance of mobs, clubs, and populace of a large city, directed the seat of government to be transferred from Paris to St. Cloud, a village five miles off, where there is a public building since become famous for many of the most important of Bonaparte's transactions. The removal was directed to take place under the command of General Bonaparte, at whose disposal the garrison of Paris, the regular troops of that military district, and the national guards, were all placed for that purpose. Thus empowered, both he and the Ancients posted up denunciations of the directorial government, and took measures for the change of administration next day, which was accomplished without bloodshed, but not without some military force, considerable opposition, and difficulty. When Fouché, the minister of police, proposed strong measures of control for public tranquillity, Bonaparte overruled them. "What do we want with repression," said he, "when we have the public will with us, and no object but public good?" When Siéyès proposed to arrest some forty, denounced as demagogues, members of the clubs, Bonaparte objected. "No," said he, "I have sworn to protect the national representation, and have no fear of such feeble assailants." The leaders of every party coincided in him as their fittest choice. The alternative between anarchy and order, he attached himself to the party of moderate republicans, and as their choice changed the government.

As soon as the Council of Five Hundred were organised at St. Cloud, several members in succession rapidly mounted the tribune, and vehemently protested against the removal of the seat of government from Paris. Angry discussion arose. It was insisted that every member should renew his oath to the constitution, which was resolved by acclamation. Each member, therefore, took the oath, adding that he would oppose the

establishment of tyranny. They were proceeding to elect a director in Barras's place, whose resignation was handed to Lucien in the chair, when the hall-door opened, and a body of soldiers entered, who stationed themselves about the entrance, while Bonaparte mounted the tribune. For any soldier of the Republic to enter the hall of legislation, without leave, was as unlawful in France as it would be in America or England. "Outlaw! dictator! down with him!" resounded from all parts of the hall. Bonaparte turned pale, seemed stupefied, paused, disconcerted and alarmed, took the arm of an officer, and slowly withdrew, — calling however on the soldiers, as he passed out, to crush whoever called him an outlaw. So denounced, his career began and ended. French republicans applied to him, in 1799, the same stigma by which allied sovereigns raised all Europe against him in 1815 — *outlaw*. Irresolution, which at Fontainebleau in 1814, and at Paris in 1815, ensured and hastened his fall, endangered his rise in 1799. He was not an iron-nerved man. Lucien and Siéyes at both his outset and his end showed more resolution than Napoleon, as I have heard Joseph say, in effect, respecting the last abdication. And I have heard Moreau several times speak with strong contempt of Bonaparte's courage; of which, though there can be no doubt, yet it probably was not of that adamantine, or as some would say, apathetic kind, which nothing could disturb, — such as, probably, Moreau's was. Joseph told me that the first time he ever saw Marshal Suchet, then a captain, he was running away pale and frightened. Nelson was not a man of imperturbable courage, nor was Frederick the Great. It is said that the Emperor Alexander, at the battle of Austerlitz, was ludicrously alarmed. A member of Joseph's royal family in Spain, told me that Soult was nervous in battle and danger, and Sebastiani, a bold dragoon, (since marshal,) absolutely timorous. Lucien sat perfectly collected and undaunted in the president's chair; and, as soon as Napoleon was gone, attempted to palliate his intrusion. But the Council, not appeased, were about ordering Napoleon to their bar for censure, when Lucien sent him notice, and that they two must have a conference, but that he did not like to leave

the presidency while the Council were so much irritated against his brother. Napoleon then ordered troops into the hall to escort Lucien out, who, with admirable self-possession, saying that it did not become him to preside and put questions implicating his brother, calmly took off his official robe, laid it down on the chair, and left the hall; in the castle court mounted a horse, and from the saddle harangued the troops; as presiding officer and as citizen, calling on them and all bystanders to expel those members of the Five Hundred who refused, as legislators, to obey the lawful commander. "Long live the Republic!" was Lucien's exordium. Thus authorised and urged, the soldiers again marched into the hall, headed by Le Clerc, the husband of Pauline Bonaparte, drums beating the charge, and by force expelled the members, who were debating as the troops entered; but Le Clerc, by beat of drum, drowned all vociferation, and to the letter, amidst arms the law was silenced. Members remonstrated and resisted, but were subdued, and without actual force beyond intimidation, at the point of the bayonet, gradually removed from their seats.

The Council of Ancients, after some delay and excitement, officially informed that four of the directors had resigned, and that the fifth was confined by order of General Bonaparte, were debating at the moment when he appeared at their door. Several members inviting him to the tribune, he addressed the body from it; with animation, thus encouraged, denouncing the government. Then turning to the troops stationed about the entrance, he called on them to crush whoever dared to pronounce their general an outlaw; and, again speaking to the Chamber, said he would leave them to determine what to do, and that their orders he would execute. Debate, resumed as soon as he was gone, lasted till several members announced that the Council of Five Hundred was dissolved, most of whom had returned to Paris. About fifty remained, who reorganised as the Council; and that evening, in concert with the Ancients, sitting all night, enacted a provisional executive commission, consisting of Siéyès, Ducos, and Bonaparte, denominated Consuls of the Republic, invested with dictatorial powers, and charged to establish order in the administration,

tranquillity within and peace abroad. Both legislative bodies then adjourned till the 20th of February, 1800; for three months surrendering the government to the Consuls, of whom Bonaparte forthwith became chief.

Just thirty years of age, in the last five or six of them Bonaparte bounded from victory to victory, with miraculous fortune, to the pinnacle of fame and power, with scarce a blot on his bright and brilliant glory; honest, chaste, modest, temperate, disinterested, studious, and exemplary as a man; magnificent in heroism: though not a man of fashion, with what commonly passes for elegance of manners, yet, by superior talents, information, and amiable anxiety to please, the true essence of politeness, fascinating as a gentleman, and commanding as a governor. It cannot be said that he attained chief-magistracy without secret preconcert and circumvention. Yet nearly all the best men of France supported him, whose union with the great body of the people for his elevation cannot be called conspiracy, or his election mere usurpation. The forms of national suffrage did not indeed precede, sanction, and recommend it; but there was infinitely less fraud or force than in the great British revolution, which placed William III. on the throne, or the prior convulsions which deposed Charles, inaugurated Cromwell, and then restored another Stuart. Nor in Bonaparte's election to chief-magistracy was there the least allusion to monarchy, except to disown it. Napoleon, Joseph, and Lucien, with all their adherents, constantly proclaimed republicanism. To exclude the Bourbons was an avowed and favorite, nearly unanimous, object. Their royalty had hardly any supporters left in France till Bonaparte's politic moderation brought them back. Republicans like La Fayette were rare—they are so always. But there was a leaven in the mass, like the apostles who introduced Christianity, or the propagators of free trade in England, and in this country, a small, pertinacious band of invincible teachers constantly acting on the people, by whom public sentiment was originated and eventually regulated. The people were taught, and, however ignorant, the peasantry learned that they ought to be represented in government.

All French histories, biographies, and recollections of that period concur in the unquestionable existence of numerous republicans, imbued with the principles of 1789. Free government, whether the chief-magistrate should be hereditary or elective, a tribune, or place where orators may lawfully inculcate liberty, with a free press to maintain it, no privileged class, but official preferment open to all, were principles inherited by Bonaparte from the revolution, which he pledged himself to perpetuate. Without Voltaire, Montesquieu, and other penmen, to proclaim what he and the swordsmen established, it never would have been. Whether pen and sword combined have succeeded in finally altogether uprooting mediæval prepossessions, may yet be disputed. But that representative government and popular sovereignty have made progress since 1776 in this country, and 1789 in that, is unquestionable. The end may not be yet; and may never be democratic in Europe. But representative and popular it is already; and in that reform Bonaparte, whether willing, accidental, or averse, was immensely instrumental.

Three years afterwards, in the autumn of 1802, I saw Bonaparte, then Consul for life, with authority to appoint his successor, which advance on monarchy he had already reached. By the treaty of Amiens, in March 1801, England, with all the rest of the world, recognised in his person not a king or emperor by title, but a French ruler with great power and attributes. Paris was full of English; their handsome ambassador Lord Whitworth, with his wife, the Duchess of Dorset, Fox, Erskine, Lord Henry Petty, since Marquis of Lansdowne, with his Swiss tutor Dumont, the intimate of Jeremy Bentham and Romilly, Alexander Baring, afterwards Lord Ashburton, with his American wife and her father, ex-Senator of the United States, William Bingham, and other distinguished persons, whom I met, and Joseph Bonaparte, at the house of the American minister, Robert R. Livingston. Like most American ministers in France, Mr. Livingston far exceeded his salary in sustaining elegant hospitality. Mr. Bingham, too, lived elegantly and hospitably; and Franklin's grandson, Temple Franklin, on a smaller scale, kept a gay and handsome

home. Rufus King, the American minister in England, with whom I went from London to Paris, did not care to be presented at the Consular court; and even if he had been, I was not within the regulations established for that honor; so that I saw the First Consul only at his reviews and the opera, and my description of him, partly from personal observation, must be made up chiefly from that of others. The small bronze, full-length statue of *General Bonaparte*, bequeathed to me by Joseph Bonaparte's will, is a good likeness of Napoleon's person as I saw him, thin and pallid, with a mild and languid Italian expression. It has the queue which he wore in Italy, and I believe Egypt, with large locks of hair over the ears, instead of the chesnut crop which, as I stood near him in the Tuilleries, I saw him brush up with one hand while he held his hat in the other. His personal appearance then was perhaps most remarkable for its extreme dissimilitude to his colossal character: not only uncommonly small, but looking still more diminutive and young, owing to a smooth, almost beardless, and unpretending countenance, without any thing martial or imposing in his air or manner. He looked, I thought, like a modest midshipman. His height was but five feet two inches, French measure, equal to five feet seven inches English or American. Between Bonaparte as I saw him, slender, pale, and small, and the Emperor Napoleon, grown fat and stout, there must have been considerable difference of appearance. But as the bones, limbs, features, and structure remained the same, in describing him, mostly from Abel Hugo's and Meneval's accounts, whose opportunities were the best, almost as good as Joseph Bonaparte's, who presented them to me as perfectly trustworthy, I shall not distinguish between the slender Consul and the corpulent Emperor. Handling a ramrod at the siege of Toulon, he caught from it, as was supposed, an itch which became, ten years afterwards, very difficult to cure. Being extremely neat and cleanly, perhaps to counteract that distress of the skin he used himself to excessive hot bathing, generally in perfumed water, which, or something else, tended to make him much fatter than either of his brothers or sisters; in fact, the only fat member of the family, though Joseph grew round and

plump, rendering the resemblance between him and the emperor very striking. Malevolence falsely imputed many diseases to Napoleon; but he enjoyed robust and almost uninterrupted health. He was said by many to be a profuse snuff-taker, which was not the case. The story of his having a side-pocket for snuff, is a mere fable. He took no stimulants at all, and preferred the simplest diet. If he ever carried snuff in his pocket, it must have been when he was with the army and anxious. At home, the officers of his guard, the aid-de-camp on duty, his first valet-de-chambre, carried well-stored snuff-boxes, in which he put his fingers; and he had one himself, besides several that were in his various apartments: all of which gave the impression of his being much of a snuff-taker, when he merely fingered, smelt, and threw it away. He used the finest white cambric pocket-handkerchief, wore a white cassimere vest and small-clothes, and sometimes soiled them with snuff, as occasionally he made black pencil marks on them. Broad shoulders and the development of his breast indicated a strong constitution; which was proved by his undergoing the severest fatigue and privation of all kinds, at all times, in all places; walking, riding, writing, studying, labor both bodily and mental, vigils, exposure, hardships, and every variety of climate. He passed nearly the whole night preceding the battle of Jena holding light to help the men dragging cannon out of a deep ravine, in which it was jammed. When the French army in Spain, under Soult, began its march after Moore, of a stormy day in February, snow, sleet, and rain driving with a piercing wind in their faces, the emperor walked with the first platoon, in order to set the men an example of cheerful endurance. During most of his life, he appeared equally insensible to fatigue and indifferent to weather, walked or rode any distance or time, without rest, in all seasons, and then immediately dictated state papers, letters, or other public articles, during many hours more, without rest or refreshment. Preliminary to the battle of Wagram, he was sixty consecutive hours, almost the whole time on horseback, riding incredible distances on relays of horses to superintend the preparations. And Marshal Grouchy told me that when the tired emperor was

satisfied, from the combinations and manœuvres, that the battle was gained,—though the conflict was still furiously raging,—he dismounted, threw himself on the ground, fell asleep instantly, and slept soundly under a shower of balls, while a body-guard, of which the command was given to General Grouchy, protected his rest. Once seeing some officers seeking shelter from a heavy shower of rain, to mark his contempt for effeminacy he stationed himself under the spout of a house, where the water poured down on him. In the Polish campaigns he bore the severe winter, with what he called the new element of mud, sleeping in out-houses, without sufficient clothing, and submitting to other discomforts, not only uncomplainingly, but gaily and ostentatiously. Though extremely nice in his dress, he disapproved of all foppery and extravagance of costume. Every morning he flesh-brushed his breast and arms, and his valet rubbed severely his back and shoulders. Till 1803 he was shaved; after that time, when he changed his valet, he always shaved himself, washed in a large silver basin like a tub, and sponged his hair with Cologne water. He changed his flannel jacket, white cassimere vest and pantaloons, every day. His dress was always the same, green or blue regimentals. His imperial allowance of sixty thousand francs (twelve thousand dollars), he reduced to twenty thousand francs, (two thousand dollars,) for the toilet and clothing. With twelve hundred francs (two hundred and fifty dollars) a year, and a horse, he used to say, he had no need of any more. He was fond of boasting of his rigid economy, when the English drove his family from their property in Corsica, and dwelt with great satisfaction on the privations he underwent to avoid debt, while from his pay he educated his brother Louis. He was always an economist, though never covetous; constantly exhorted his officers, when loading them with money, “not to plunder, and I’ll make it up to you more than if you did. In private be saving and even parsimonious; but magnificent in public,”—which was his own system in dress, at table, and in his whole household avoiding extravagance and show, except in public representation. He had no fixed hours for either business, meals, or sleep; but in general entered his cabinet at seven

o'clock, dressed for the whole day in his invariable costume, white cassimere vest and breeches, and green chasseur coat, except on Sundays and reception days, when he wore a blue coat with white lapelles, a colonel's epaulets, with the decorations of the Legion of Honor and iron crown at his button-hole, the badge of the Legion of Honor and the broad riband under his coat. He always wore white silk stockings and oval gold buckles in his shoes, except when he changed them for boots lined with silk; and in order to save time, would not change his stockings. At nine o'clock he received the officers of his immediate service, and then persons having a right by the dignity of their stations, to personal interviews with him. At ten he breakfasted in a small parlor adjoining his cabinet. Breakfast seldom lasted more than ten minutes, though he prolonged it as he liked; and during that meal received scientific and literary men, or artists, with whom he loved to chat. After breakfast followed business with ministers and other public affairs. Six o'clock was his dinner hour, but he never kept it punctually; neglecting it if engaged in any important business. He dined alone with the empress, except Wednesdays, when the ministers were invited, and on Sunday there was always a family dinner. Napoleon ate none but the simplest food; drank no wine but Chambertin, and that always well watered; never any kind of spirituous liquor. One of the coffee-cups he commonly used is in my family; of plain Italian china and fashion, with nothing about it remarkable but the reminiscence. It was one of a number of articles familiarly used by Napoleon, which were divided by his family among themselves, after his death, and presented to me by Joseph's testamentary executor. There is a small pocket volume of Napoleon's maxims, all of which are instructive, and some excellent: one is that whoever dines eats too much; the moral of which is, that instead of the moderate meal of simple food that satisfies nature, luxurious dinners provoke excess and disease.

His Italian and Egyptian attachments long continued; though he had never been in Italy till he went as commander of the army, and could speak none of the language but the very little he picked up in his campaigns. *Our Italians and*

our Egyptians he used to call the officers who had served with him in those countries. Long after he returned from Egypt he ate pillau and dates, and admired many Egyptian customs. Once at a dinner he gave there to a number of the principal men, he asked one of them to tell him what he (the sheik) perceived most remarkable in the French mode of eating. "Why," said the Egyptian, "your drinking when you eat." That is, to provoke appetite for food by drink when eating, was contrary to their system of diet and health, which satisfied hunger and thirst each by itself, never the two together, provoking eating to excess by drinking with it.

I never saw, I may add, a person—not even a lady—more abstemious of drink than Joseph Bonaparte, who always took a little wine both at breakfast and dinner, but very little, and that little even champagne diluted with water. But he ate heartily, and, as I thought, of meat excessively, in proportion to what he drank. According to my notion, it would have been more wholesome for him, and others I have known like him in that respect, to eat less meat and drink more wine. At Joseph's always excellent table, there was no such variety or luxury of liquors as is not uncommon at many tables; Madeira, Sauterne, and Champagne the principal, if not the only, wines. Napoleon took one cup of coffee at breakfast, and one in the drawing-room after dinner. Joseph learned in this country to prefer tea; rising with the dawn, and, after his morning dram of a cup of green tea, going out with his hatchet and workmen, planting, grubbing, pruning, and superintending work in the open air till between ten and eleven, when he went in to breakfast. Without the day-light cup of imperial tea, he said that he should be cross; and spending several hours a day out of doors in our dry atmosphere, he told me, had cured him of rheumatism, with which he suffered in the damper European climate. After dinner, at Joseph's, sometimes he read aloud from some dramatic author, or there was a game of cards, but more generally of billiards. Of the long summer evenings a drive through his grounds, sometimes a walk to the Belvidere on the Delaware. After dinner, and an hour or so in the drawing-room, the Emperor usually received his librarian with

specimens of new books, of which he chose two or three to look over, throwing the rest on the floor, and sometimes into the fire-place, if he did not like them. When travelling, or in campaign, he took a portable library with him, composed of boxes in compartments, containing miniature editions of select works in history, belles lettres, and science. Not finding all that he wanted, he sketched, while at the castle of Marrae, on the border of Spain, before he returned from that country in 1808, and at Schœnbrun, near Vienna, in 1809, the outline of a travelling library, which he intended to take with him whenever he left home. The Emperor sometimes worked the whole evening. At ten o'clock he gave his orders for the next day, and retired for the night. When there was any pressing business he got up at one or two o'clock at night and had his secretary called. Every week he went hare-hunting or partridge-shooting, not so much from fondness for the sport as for exercise. Towards the latter part of his reign there were stag hunts of the imperial court, in which he took part; but rather, probably, because it was deemed royal amusement than from much enjoyment of it. He seldom went to the theatre, but often had plays performed at the various palaces which he inhabited, much according to the royal routine established before the revolution. The imperial household expenses were regulated with the same close attention as those of the Empire; and the domestic budget settled every year, when the Emperor himself presided at the family council, and scrupulously reviewed every item. Without requiring parsimony, he reprov'd waste and negligence, and insisted on economy; in all of which he was seconded by Duroc, who superintended the minutest details. The public treasury furnished twenty-five millions of francs (\$5,000,000) a year for the imperial civil list, which the crown demesnes increased to thirty or thirty-one millions of francs, (about \$6,000,000). Building and furnishing were the two heaviest charges: building cost about three millions of francs (\$600,000) a year; furnishing, about one million eight hundred thousand francs (\$360,000); the military household, eight hundred thousand francs (\$160,000); ladies of the palace, chamberlains, libraries, playing-cards, clerks, messengers, and wages, nearly twelve

hundred thousand francs (\$240,000). Music for the chapel, the apartments, and the theatres, cost near nine hundred thousand francs, (say \$180,000); the Emperor's toilet twenty thousand francs, (\$4000); that of the Empress, with her strong-box, six hundred thousand francs, (\$120,000). From the whole civil list the Emperor, by economy and good order, saved thirteen or fourteen millions of francs a year, (\$2,600,000 and more); so that, after maintaining as magnificent a court as any in Europe, he laid up one hundred millions of francs, (\$20,000,000,) part of which, accumulated in gold in the cellar of the Tuilleries, was the remnant and one of the first spoils seized upon by the Bourbon monarchs as soon as they returned, poor, rapacious, and as shamelessly regardless of the rights, comforts, and property of the Bonapartes as the Emperor Napoleon had been magnanimously careful and generous respecting theirs.

Probably of no one that ever lived have so many likenesses been taken as of Napoleon, on canvass, in marble, ivory, and on other substances; which generally bear some resemblance of feature and form; but it was extremely difficult to portray or delineate Napoleon's look. Its mobility was beyond the reach of imitation; corresponding with the rapidity of his ideas; like lightning starting from his grey and searching eyes, as if with a distinct glance for every thought. His prominent skull, superb high forehead, long, pallid, thoughtful face, might be depicted; but not his characteristic aspect. His arms hung well from his shoulders; his legs were well formed; thighs round; his hands and feet small and handsome, with plump, tapering fingers, of which he occasionally seemed a little vain. His nose was aquiline, straight, and well placed; teeth good, though during his unwholesome confinement at St. Helena, as was also the case with his brother's near Philadelphia, the gums required frequent bleeding. The curve of Napoleon's lip was finely marked, and his chin slightly prominent. Without color in his face, which was quite pallid, his skin was perfectly clear. His head was large, and neck rather short. With a graceful sweep of the whole visage, regularity of features, and fullness of shoulders, his bust was altogether noble, and his step dignified. His common look was calm; when I saw him, mild if

not meek, without the slightest sign of fierceness or severity. His smile was singularly gracious and engaging, and when he studied to please, no man could be more captivating. His natural ascendant was such, that before he became a monarch or consul, persons conversing with him felt and acknowledged his superiority by circling round and yielding him the word, as is usual with subjects to princes. When excited his nostrils dilated, there was a movement of the forehead between his eyebrows, and his tone became extremely authoritative. Accustomed too, as he was, to military command from an early age, his language was at times abrupt and overbearing. But the longer he lived, the calmer he grew; and he was very lively, with a loud and bantering laugh, when relaxed to good humour.

As his capacity for labor was extraordinary, so his performances, physical and mental, were immense; his diligence, vigils, and exploits in civil as well as military transactions. At school he was more industrious and distinguished than most other boys; although of his boyhood he said himself that there was nothing remarkable, except inquisitiveness and obstinacy. But that does not do him justice. Modest, studious, dutiful, affectionate, yet lively, sometimes petulant and teasing; his authority over men never became more absolute than that of his mother was over him in childhood. His great-uncle, the arch-deacon of Ajaccio, who became head of the family when Napoleon's father died, had likewise great influence over Napoleon, who was always his fond and reverential nephew. At ten years of age put to school in France, though he first bore arms as a soldier resisting the English in Corsica, yet his habits, youthful impressions, and patriotic attachments were entirely French. Distinguished at his examination, it was in mathematics that he particularly excelled. Quiet, polite, grateful, tolerable in history and geography, feeble in Latin and the elegant accomplishments, were the merits certified by his superior when Napoleon left the military academy. Lieutenant and Captain Bonaparte was one of the most exemplary young men of his time: not addicted to any of the usual vices or follies of young officers; no gambling, quarrelling, duelling, or dissipation of any kind discredited his first years in the army. His morals

were as pure as his talents were superior and his temper amiable. That such undeniable youth should ripen to the wicked maturity so profusely imputed to him, seems contrary to nature. At school, he was a favorite with his school-fellows, and in their choice of boys to preside at sports, or on other occasions, Napoleon was mostly elected. In the army, he was as generally esteemed. His popularity, as commander, with the soldiers is well known; his uniform and cordial kindness, attention to their wants and comforts, and studying their welfare more than that of officers. Yet at school, and in all military grades, he was a strict disciplinarian, never courted favor by unworthy or unmanly condescension; but, throughout his whole life, was authoritative, direct, simple, systematic, kind and considerate. Joseph, at college, excelled in belles lettres as Napoleon did in the mathematics. From the time the latter entered the army, as second lieutenant, to the last moments of his busy life, his contributions to literature, by various treatises, histories, letters, proclamations, down to newspaper paragraphs, fill volumes from his pen. Yet he almost lost the power of handwriting — of writing and spelling correctly, he became quite incapable. Not only were his written words illegible, but ill-spelt, and his sentences incomplete, from want of words. In his ordinary writing, half the words wanted their proper letters, and many of his sentences wanted indispensable words. When about to marry the Austrian princess, and a letter, in his own hand-writing, to the Emperor of Austria, was the necessary ceremonial, it would have been impossible for his future father-in-law to read Napoleon's letter, if it had not been corrected by altering many letters, and adding several words. So, too, notwithstanding his knowledge of mathematics, and capability of severe, close study, his arithmetic was or became so faulty, that he could not add up accurately the smallest sum, and his errors always tended to increase the total beyond the reality. He would mistake and magnify the simplest column in addition. He never sat still, but walked about as he dictated; and then, in a sort of nervous emotion, it was his habit, with a twist or jerk of the arm, to twitch at his coat-sleeve. Nor could he bear interruption, repetition or delay, but his amanuensis must write as

rapidly as the dictator spoke; whose respite was not to leave off dictating, but merely change the subject and the scribe; and he would keep several at work, all at once, on different topics.

In much of this minute detail of an extraordinary man, the least observing may perceive Napoleon's resemblance to thousands of other men in no way remarkable. Still, his talent for labor, and appreciation of time, were uncommon; for no one valued it more, or employed it more assiduously. At school and college, in garrison or camp, the cabinet, everywhere, even in the bath, he was never idle, but always studying to advance the renown by which he filled the world. Newspapers and pamphlets were read to him while bathing. Exploit was constantly either his enjoyment or his study. Though his regular life and temperate diet rendered him a good sleeper, and during the earlier stages of his consular and imperial career, he usually slept soundly seven hours of the twenty-four, yet rest was not his recreation, but he took it as he did food and exercise, not as an enjoyment, but to enable him to renew labor. Feasting was not his entertainment, and slumber only relaxation; so that when fifty years of age, he had done more than the work of a long life, not only in arms, but in literature and legislation. Nearly six hundred unpublished and most confidential letters, to his brother Joseph, written with heart in hand, calculated to throw the truest light on Napoleon's real character, sentiments and purposes, and dispel clouds of prejudices, with difficulty concealed by Joseph in Europe, and brought to this country for safe keeping, were, after his death, by my instrumentality, deposited in the United States Mint at Philadelphia, as a place of security; and after four years' safe keeping there, on the 23d of October, 1849, in my presence, surrendered by Joseph's testamentary executor to his grandson Joseph, then twenty-five years of age, according to his grandfather's will; which bequeaths to that grandson those precious developments, together with other unpublished manuscripts; among them part of Joseph's life, dictated by himself, and the republican Marshal Jourdan's Memoirs, written by himself. These perfectly unreserved and brotherly confidential letters,

several hundred in Napoleon's own handwriting, written before he became great, will demonstrate his real sentiments and character, when too young for dissembling, and quite unreserved with his correspondent. Joseph relied upon them to prove what he always said, and often told me, that Napoleon was a man of warm attachments, tender feelings, and honest purposes.

Napoleon had some ear for music, and could turn a tune: Meneval gives the chorus of a love-ditty which he often sang. But he was not as fond of poetry, which he sometimes called *hollow science*, as if one of the exact sciences. He held medicine in disesteem, and often joked Corvisant on its imperfections. History, politics, tactics, mathematics, chemistry, astronomy, and his own, but by no means modern, notions of political economy, he preferred to poetical, dramatic, or romantic literature. And while he liked the conversation of Talma and others of that sort, yet Monge, Cuvier, Haüy, Berthollet, Laplace, and those called philosophers, were his especial favorites;—science rather than literature. He was not fond of cards, chess, or any other game, at none of which he excelled; but at his evening parties, preferred walking about, and chatting with various persons, in which he shone to great advantage. By saying that if Corneille lived in his reign, he would have made him a minister and a prince, he did not so much refer to poetical as philosophical superiority, Corneille's profound knowledge of men, government, and human nature. As a young man, however, Napoleon had thoroughly read and was charmed with Rousseau, whose bold originality captivated most of the young of his time. When a youth, Napoleon wrote a history of Corsica, to which land of his nativity he was warmly attached; and Raynal, when there could be no motive for flattery, recommended the work to Mirabeau. Young Bonaparte's *Supper at Beaucaire* is extant; and his *Essay on the Art of Happiness* was saved by Talleyrand's adulation from Napoleon's attempt to destroy it, as unworthy of preservation. If Napoleon had not distinguished himself as a soldier, he would have done so as an author, poet, orator, or mathematician; somehow or other: for he was potent with both tongue and pen, as well as sword. His conversation was

highly instructive, and he was one of the most eloquent men of modern times. His orders of the day, proclamations, bulletins, speeches, addresses, and answers to addresses, all his writings, from his first appearance in Italy to his last will and testament at St. Helena, many of his sudden sayings, his maxims, sarcasms, witticisms, and unpremeditated observations, breathe an abrupt, vivifying, concentrated and peculiar spirit, poetical and imaginative, logical and argumentative, fervid and forcible. Like most of the French republicans or revolutionists, he was much addicted to Roman and Grecian illustrations and allusions. Ossian was a favorite book with him. He named Bernadotte's son, the present king of Sweden, to whom he stood god-father, Oscar; and his sister Pauline Leclerc's son, Dermide. Beranger, the first of modern French lyrical poets, an inflexible Bonapartist, says that Napoleon was a great poet. Talma considered him a great dramatist. Madame Catalani did not like and would not sing for him. But most of the great actors, singers, poets, and men of letters, admired the Emperor, whom they never failed to find a munificent protector.

His judgment and learning, common sense and shrewdness, were not led astray, however, or obscured by imagination. His master mind was displayed to the greatest advantage in the science of civil government, by the laborious discussion, enactment and promulgation of a code of laws, called sometimes the Napoleon, at others the Civil Code. At every meeting of the ablest juriconsults and publicists convened for that purpose, he never failed to attend, to take an earnest and active part, being the chief suggestor and constant debater of every proposition; tolerating, inviting and encouraging the utmost freedom of debate, and listening with candor to every argument. Napoleon was a free talker, never wrapt up in mysterious taciturnity, or disclosed by oracular intimations. Yet he was a listener, too, which is a rare talent, and could keep his decision suspended till he heard all that might be said on all sides. Deliberations on the code lasted, mostly, five or six hours a-day, which is longer than an American judicial, much longer than a legislative daily session. Not only would

the Emperor, all that time, take his part in the council, but often keep some of the counsellors to dine with him, during and after dinner renewing the subject, and analysing it in every way. In those grave, sometimes technical and complicated questions, the astonishing versatility of his genius, and extent of his attainments for civil as well as military government, the quickness and clearness with which he saw and seized the very point in question, in matters he had not been educated to, and might well have been uninformed of, his superior knowledge of men and things, were wonderfully apparent. If the suppression of Napoleon's despotism was beneficial or necessary for mankind, still many lasting monuments of his liberal reforms and wise improvements remain in laws, institutions and territorial changes. Compared with any legitimate monarch, and most of their ministers, the advantage of such a ruler is obvious, to found or renew a state, over those nearly always ruling without practical education and common information, if born to command. Not only is Napoleon's superior intelligence, diligence, and providence striking when compared with Louis XVIII., Charles X., or even Louis Philippe, but his aptitude for imbibing information from those about him, surpassed theirs. The great in every station, royal, noble, and official, from that alembic distil much of their knowledge. But instructed by conversation without reading, they get the essence of learning only when they relish it more than frivolous or sensual amusements. It was, however, not in the council-chamber that the Emperor's chief excellence appeared; but in the field, to which he was educated and excited by perhaps excessive thirst for military glory and intoxicating success. He often told his brother Joseph how great a mistake it was to ascribe the beginning of his elevation to the siege of Toulon, where his military superiority was first acknowledged. "Not at all," said he, "no such thing. Marmont or any other brave artillery officer would have done as well as I did at Toulon, where the stupid commander did not even understand the common range of cannon-shot. My career and elevation began at the church of St. Roque, in the battle of the Sections, to which Barras appointed me. There I began to command, and thencefor-

ward went upwards." True, but that first of the victories won by him, in October 1795, was over his own countrymen, and by considerable bloodshed. His elevation, four years afterwards, to chief-magistracy was also, at least, not without military coercion, though bloodless: inaugurations of his greatness, therefore, ominous of its catastrophe; effected by the sword, which unmade as it made him. General Bernard described to me Napoleon at Waterloo with French enthusiastic admiration of his amazing self-possession and cheerfulness, superhuman composure and resource in the crisis of the fatal moment when apprised of the second and final overwhelming irruption of the Prussians under Blucher. "He was," said Bernard, "a god in battle." Unlike Blucher and many other successful great warriors, but like his great English conqueror at that battle, Napoleon's courage was always united with great discretion. Not so cold as Wellington's, Napoleon's discretion was never-failing. One of King Joseph's family, present at the battle of Vittoria, told me that but for Wellington's extreme circumspection there, the total destruction of Joseph's force under Marshal Jourdan was inevitable. All Napoleon's battles were planned with the utmost forecast and provision against every contingency, and fought with great fertility of resource in emergencies. But when all that prudence could devise was done, he calmly left the result to circumstances, or what may be called fortune, which was a reason why he was called a fatalist; for he never relied on any individual, or undertook himself, to overcome events. All he could do, he said, was to make the most of them. Joseph more than once told me that he perceived in this country more veneration for individual opinion than elsewhere. "That was not the Emperor's way," he said: "he cared little for any one man's opinion; but governed himself by that of a mass of men and course of events, never undertaking to make events, or being governed by any but his own judgment." He was a professed time-server, and believer in masses.

Yet in his selection of official instruments he was highly judicious and fortunate; preferring men of business to courtiers or flatterers. For many years, affectionate, amiable, and inclined

to gratify others : till he was circumvented and misled by wives, sisters, and nobles, led into temptation and spoiled by fortune, his instruments were remarkable for their adaptation to their respective places and uses ;—such as Massena, whom he considered the very first military man, Murat, Lannes, Berthier, none of them men of talents except for the particular purpose to which their master applied them. When Joseph remonstrated with Napoleon against the plundering or other misconduct of some of his generals in Spain, which the Emperor detested as much as Joseph, he declined nevertheless to censure them ; “for,” said he, “in their line they are inestimable. How can I condemn Massena, who in battle is as good as I am ?” Whenever a man had a genius for any thing, Napoleon developed and encouraged that peculiar talent.

His own probity was as strict and infallible as his ambition was inordinate, if not unscrupulous. Of the twin predominating passions of mankind, avarice and ambition, in him ambition seemed to absorb avarice entirely. In all matters of property there was no juster or more exemplary person, economical, yet generous but exact in all expenditures ; his living as a poor soldier, his household as a great Emperor, his government, all his expenses, private and public, regulated by the wisest and most admirable economy,—not parsimony, but economy in its best acceptation. After having had the spoils of Italy and Egypt at his command, with large military chests from a weak and revolutionary government, Paris crowded with the rich trophies of his conquests, many of his officers enriched by their plunder, and even his commissaries by speculations on the public treasure, the young commander-in-chief returned home not much richer than he left it. When boundless wealth was in his lap, and he gave it away to all around him with splendid profusion, not only was his own establishment, and especially his personal part of it, moderate, but his face was set with severe indignation against all plunderers, speculators, marauders, and pilferers. Collated with the eight hundred thousand sterling of British debt, half of it created to put him down, it is one of the miracles of Napoleon, that he waged all his enormous wars without contracting a debt or borrowing a cent,

without discounting a note or using one not forthwith convertible into coin; and when expelled from the throne, left in the cellars of his palace a large sum, many millions in cash economised from family show for public service. The imperial budget of France, when he ruled fifty millions of subjects, was little more than half of the royal budget when Louis Philippe reigned over thirty-four millions. The standard of probity was as much higher in Napoleon's time. Some years of peace were purchased by Louis XVIII. and Charles X. contracting debts to pay foreign governments for conquering, and their troops for occupying France, and to reimburse restored nobles for their estates confiscated, because they deserted and made war on their country. Those debts are the crushing inheritance and greatest difficulty of republicanised France, which Napoleon left at least partly free and altogether clear of debt. Although it may be said that he supported France by the conquests which England, by successive coalitions, forced him to make; yet the abundance, regularity, and management of the national income and expenditures in his time, without an idea of what is now recognised as the science of political economy, without paper-money and without debt, is a monument as amazing as his code of laws.

Napoleon's morals were exemplary. At school a dutiful, good boy; in early manhood a studious, modest, unobtrusive youth, excellent son, brother, friend, stranger to excesses and irregularities, and little given to what are ardently pursued by most young men as the pleasures of the world. When he returned to France, thirty years of age, to be raised to the head of the government by nearly universal acclaim, contrary to common English tradition and American belief, he may be said to have scarcely ever been guilty of an immoral action. His promotion to chief-magistracy was followed by acts of substantial and generous kindness to all who had the least right to his remembrance. I have heard Joseph very often say that Napoleon was kind, compassionate, and tender-hearted; and that Joseph used to tell him, "You take more pains to seem severe and rough than most men do to appear amiable and kind." Although authority and sycophancy constrained the Emperor

to assume unbending and repulsive manners, yet rarely was appeal in vain to his generosity as general, consul, or emperor. Compared with the sanguinary reigns of the restored Bourbons, and with their treatment of him, his deportment to all, including them, is radiant with benignity; though the Bourbons have been registered, by flattering history, as mild monarchs, however weak. Placable and forgiving, Napoleon was never cruel. He detested quarrels and duels, avoided when liable to them, strongly discountenanced and punished when above them. Constant kindness to his soldiers was one of his principal holds on their never-failing affection. His generosity to the vanquished was equally signal; to Mack, after his surrender of Ulm; to Melas, after his defeat at Marengo; and to the Emperors of Austria and Russia, after their overthrow, and Alexander's prevarication at Austerlitz. His pardon of the Prussian prince of Hatzfeld is one of the noblest instances history records of magnanimous forgiveness. Nor was Napoleon subject to the degrading infirmity of envy. He deeply deplored Kleber's death, though his personal enemy; cordially rejoiced in Moreau's victory of Hohenlinden, though his greatest rival; and, on the field of Wagram, signalized his reconciliation with Macdonald, another eminent opponent. Bernadotte, always his antagonist, Napoleon treated with constant kindness — partly, it is true, through Joseph's intervention. As soon as he was established in the Consulate, he made provision for his former humble friends, the housekeeper and her husband, where he was at school, by transporting them to his own residence; and got his most intimate schoolmate recalled from exile to be appointed his private secretary; Fauvelet, who, after living several years in his family, and being discharged for fraudulent misconduct, though without harshness, sold himself to the royalists, helped them to calumnies published in his name, not even written by him, against his benefactor, as *Memoirs of Bourrienne*. Monstrous ambition, and tremendous downfall, have given color to the vast detraction to which Napoleon was subjected. And it will be some time before the truth can be gradually established. But it has been in continual progress of emancipation since his fall; and posterity

will recognize him, not only as a great, but likewise, in many respects, a good man, excelling in private and domestic virtues. Napoleon's morals were not only exemplary, but singular, compared with contemporary monarchs like Charles X. of France, Charles IV. of Spain, and George IV. of England, depraved and dissolute men, more odious and despicable when compared with him as individuals than as monarchs. Even the most benevolent and brilliant of the monarchs of his age, the Emperor Alexander, was a man of much less domestic virtue, or personal decorum, than Napoleon, and quite as rapacious of extensive empire. Marshal Grouchy told me that, at Tilsit, the Emperor Alexander honored him, one day, with a long interview and free conversation; in the course of which the Emperor said that people must not insist on the same standard of morality for monarchs as for other men, which his imperial majesty pronounced impracticable. Napoleon, apart from rabid ambition, was a model of domestic, particularly matrimonial virtues, far exceeding most of not only the royalty, but the aristocracy of Europe. The most pertinacious and effectual French authors of his overthrow were Talleyrand, Fouché, Madame de Stael, and La Fayette. Compared with either Talleyrand or Fouché, the purity of Napoleon's character, public or private, will hardly be denied. He was a much chaster man than Madame de Stael was a woman. She and La Fayette were indebted to him for kindnesses such as could hardly be compensated. Nor were all the evils of his undeniable despotism so injurious to France as the Bourbon restoration, of which La Fayette and De Stael were chief contrivers. Accepted, as George IV. and Charles X. were by England and France, as respectively the first gentlemen of those kingdoms, Napoleon, in all the fascinations of manners, politeness, and study to please, was much more of a gentleman than either of them. Louis Philippe's father, the Duke of Orleans, Charles X., when Count of Artois, and George IV., as Prince of Wales, contemporaries, were, together, three of the most dissolute young men. not long before Lieutenant, and for several years Captain, then Major Bonaparte, not remarkable, because unknown, was constant in virtuous and irreproachable deportment. Madame

de Stael sneers at his want of high-bred polish. But his superior wit she never forgave. Few individuals, probably no one, had more influence in undermining and discrediting the Empire of Napoleon than a woman who made love to him, and then took vengeance because he treated her courtship not only repulsively, but contemptuously. When he returned from Egypt, there were but two females who had any power over the young conqueror of thirty. They were his wife and his mother. General Bonaparte was a chaste, faithful, fond husband and son, on whom all the feminine attractions and temptations of Paris were thrown away:—dressed simply, lived domestically, and unostentatiously avoiding all female connexions beyond his own family. The celebrated Neckar's highly accomplished daughter, French wife of the Swedish ambassador, Madame de Stael, extremely ugly, witty, fashionable and free, with amazing talents and unbridled love of display, of distinction, of money, and of men, went to work to subdue Bonaparte as soon as he returned from Egypt to Paris, immense in heroic renown, and innocent of all love but for his family. Whenever Madame de Stael fell in with him, in public or private, she spared no expenditure of language, looks, airs, graces, and enticements, to fascinate his intimacy, brilliant as she was in conversation on almost any subject. She kept up, also, a continual fire of notes to Madame Bonaparte, who would hand them to her husband, and say, "Here, my friend, is a billetdoux, addressed to me, but intended for you." At length, at a party of Talleyrand's, Madame de Stael made her most desperate onset, which Bonaparte repelled and defeated, after the sharpest encounter of both their masterly wits. Publicly rejected, she vowed vengeance. Her violent retaliation induced him afterwards, unwisely and unfortunately, to banish her from Paris to Switzerland, where, for more than ten years of solitary exile, she brooded and matured the revenge, to which few persons, not all the French royalists combined, contributed more acrimonious disparagement. His sarcastic wit made many more bitter enemies than that formidable woman. To lie like a bulletin, was common English and American mention of his military despatches. Most such documents misrepresent; but his not more than others.

Nor was the falsehood imputed to them so detrimental to him as the contumelious tone in which they often dealt with the contemptible monarchs, princes and nobles, whom, not content with vanquishing, he sometimes ridiculed; who, though they must submit to his victories, could not bear his sarcasms. If I am not mistaken, Madame de Stael, when he returned from Elba, and allowed her claim on the Bourbon government for money, espoused his cause, and prevailed on her Swiss compatriot, Benjamin Constant, to join him.

Among the innumerable calumnies spent on Bonaparte, it was said, and long believed by many, that he had no religion. Scott, and other writers of his life, published, as a fact, that he embraced Islamism, which was a mere fabrication. He did no more in Egypt than respectfully attend at the religious exercises of the Mussulmans, which gratified them, and tranquillized the country, whose creed it was as much his duty as his policy to tolerate, as is done by all conquerors in countries they subdue. Although not what can be called devout, Bonaparte was a sincere Roman Catholic; as every one, he said, ought to be of his father's religion, and considered religion indispensable to good government. In the beginning of the French Revolution, most of its supporters were careless of religious observances, and inimical to clerical rule. Deism was a common part of republicanism when it began in France. Voltaire, Montesquieu, Rousseau, and other modern reformers, inculcated, not only emancipation from the authority of priests, but treated much of the creed of Christianity with contempt and ridicule; and ridicule is heavier condemnation in France than elsewhere. Bonaparte's marriage with Josephine was by merely civil contract, without any religious sanction. La Fayette, and many other respectable republicans, could hardly be deemed Christians; nor Franklin or Jefferson, though perhaps not mere theists, like Paine. Stephen Girard's interdict of all clergymen, by his will, from the seminary he founded for children, interdicted not only from its government, but precincts, came of that same French aversion to priestcraft, which condemned it as part of royal and aristocratical abuses. Leading free-thinkers, from aversion to fanaticism, went over to infidelity.

Bonaparte, a Roman Catholic and a royalist, was liberal in his religion as in his politics. He would have had the priests married, convents and monasteries abolished, the pope stripped of temporal, but sustained by increased ecclesiastical power. He was, in 1800, what large numbers of pious persons, with the Pope, Pius IX., at their head, were in 1849 of opinion that religion does not suffer by toleration greater than it has ever enjoyed in most countries of Christendom. He would have separated church from state, but without destroying the church; or, as he believed, and we Americans think, has been shown in this country, without diminishing its power or usefulness. In fact, to some considerable extent, Napoleon was a protestant, as many of the leading men of France, in his time, were modern Jansenists. Still he was penetrated with the importance of religion, reverently convinced of the existence and providence of God; and in that belief, not only religious, but of the Roman Catholic religion. The great body of the French people being inflexible Roman Catholics, he could not inculcate any change so obnoxious as protestantism, without distracting the country. All he could do, was to favor liberality and establish toleration. He therefore restored, but reformed catholicity; separating, as far as was prudent, spiritual from temporal, and healing the angry divisions which the republic left in the church. That great result, with its powerful tendency to European peace, quelling religious discord, the cause of so much calamity, it was one of the first acts of his government successfully to bring about. But Italy, almost a French province, and Spain, a neighbouring, close ally, were entirely Roman Catholic, like the large majority of France. The concordat arranged with the Pope was, therefore, all that was peaceably practicable; and even to that many of the military were opposed, and the republicans. Idealogues, as Bonaparte termed dissentients from his measures, comprising most of the republicans, condemned all accommodation with the Pope and the priesthood, as introducing foreign influence and power in a country in which tolerance and equality of worship were established. When religion is mixed with politics, the consequences are, we Americans think, pernicious. Bonaparte did

the best he could; and his conduct proved pacifying and tranquillizing. After his imperial downfall, protestants were falsely denounced and punished, by intolerant Roman Catholic adherents of the royal restoration, as atheists; and republicans untruly stigmatized as jacobins. La Fayette, and his small party of republicans inimical to Bonaparte, soon undeceived as to Bourbon government, began then to style themselves Liberals, and afterwards Independents, whom the royalists calumniated as opposed to all religion and authority. In fact, the difference of external religious observance is so great between different Christian communities, that what, in parts of America, or Scotland, would be deemed impious, is common, in the manner of keeping Sunday, and many other things, in France. One of the first of the many English customs introduced in France by the Bourbons, on their restoration, was horse-racing on Sunday. A member of Congress who messed with me in 1814, seemed to have no public object so near his heart, considered none of his public duties so important, as prohibiting the transportation of the mail on Sundays. I read him a Paris newspaper account of the attendance of the whole royal family, all extremely devout, at the first horse-race there, which took place on Sunday. So of Napoleon's religion, persons of other countries and creeds are not impartial, and hardly competent, judges; and when, like Walter Scott, they write history blinded by national superadded to religious prejudices, their accounts are entitled to no credit. Joseph Bonaparte was not a devout man; many in this country would deem him irreligious, for there was no difference perceptible in his house between Sunday and Saturday or Monday. All days were alike as to any religious ceremonies or observances, though as king of Naples and Spain he respected and kept all their religious ceremonies. But I have heard him laugh at the noisy preaching at a neighboring conventicle in Jersey; and he told me that Napoleon sometimes joked at Louis Bonaparte's devoutness. In one of Napoleon's most anxious letters to Joseph in 1813, when Joseph's correspondence urged the Emperor to make peace, Napoleon's angry reply was, "You need not *preach* peace to me." Yet they were both of the religion of their father, and much attached

to their uncle, the last of the Corsican Bonapartes, the venerable and pious Archdeacon of Ajaccio. On Joseph's estate in New Jersey he had a portion set apart, and consecrated by religious ceremonies, for his burial-ground, in case he died in America; and dying anywhere he would desire the consolation of religion. Napoleon was even charged with superstition, by some of those who, with as little reason, accused him of infidelity. What was called superstition in him, was deep and awful assurance of God's mysterious omnipotence. At the occurrence of remarkable incidents, either good or bad, he habitually often crossed himself. All his conversation, public harangues, papers, and other such manifestations, refer frequently to that power which controls human combinations and events. The ringing of church bells affected him with reverential solemnity. He asked for and took the sacraments of his church on his death-bed, and not as repentant of the infidelity or sins which his enemies most commonly imputed to him: but, surrounded as he was by cruel jailors, who watched to detect and expose any weakness, none such was caught or recorded. There is no reason to doubt that Napoleon lived and died a much sincerer believer of the Christian religion than many of those who calumniated him as an infidel and a Turk. Few men ever felt more deeply the influence of virtue in others. A virtuous person never failed to awe him. Whenever confronted with what he called a *virginal* heart, it overcame all the stoicisms which his position required him to affect. He used to say that his religious reforms would never go beyond the four propositions of Bossuet. Inborn sense of religious obligation was part of his nature. "All creeds," he said, "might be substantially good; but no man should desert his father's." Religion, he uniformly insisted, is essential to morality. He could not comprehend how any one can be virtuous without religion. Irreligion he always reprobated. Two French tendencies of his time were extremely odious to him, duelling and contempt of religion. "That man," he said, "cannot be a good citizen who saps the foundation of religion: and there is no more hideous spectacle than an old man dying like a dog, with no hope of resurrection." I have heard

from good authority, a royalist of Bourbon attachments, that the Emperor was sensible that he had not done enough for religion, and intended to do more.

In the fatal and deplorable mistake of his second marriage, it was his respect for perhaps the worldly influence of religion that determined his selection of the Austrian princess, which was so great a cause of his ruin. A Russian or a Saxon princess, both of which were in his option, and contemplated, involved the dangerous attempt of establishing on the French throne a monarch's consort not of the Roman Catholic religion; which Joseph Bonaparte always and often mentioned as the chief reason for choosing the Austrian princess. Napoleon would not give umbrage to his Roman Catholic subjects, particularly the old nobility, nearly all of whom were of that faith, and to other entirely Roman Catholic countries, Italy, Spain, and others. Piety may have had less part in this consideration than policy. But apprehension that a wife of the Greek church, or the Lutheran, would be offensive to most of the Roman Catholic people of France, Italy, and Spain, decided, so Joseph said, Napoleon's choice of the Austrian Empress.

When he coveted a crown, it was indispensable that it must be by popular consent, without divine right; as when he restored the church it was reformed. But he never had, probably, so much republican conviction as to believe that a French republic could stand erect and powerful in the midst of surrounding monarchies. His enemies charge him with gross inconsistency in that respect. The probability is that he was always a monarchist. When married to an Emperor's daughter, and his imperial father-in-law, to relieve his own apprehension of degradation, said to Napoleon, "The Bonapartes have been sovereigns, I know, for I have had their titles examined," Napoleon smiled, and replied that he would rather be the Rodolph of Hapsburg of his family, than born to Empire. And when, during the Consulate, obviously striving for a crown, sycophants hunted up a pedigree for him, he seemed to treat the design with contempt, saying that his nobility dated from the victory of Montenotte. Still he was proud of his noble descent, and felt that his was *blue* blood, as the Italians call

that of their nobility. His parents, both father and mother, were of that caste; and when his father, impoverished by Corsican troubles, applied for permission to get Joseph and Napoleon educated at royal expense in France, he made the required proof by adequate testimonials of his nobility. The Bonaparte family were of the old Italian nobility, princes of Treviso, allied to some of the noblest families, distinguished in arms, in literature, and the church. When, expelled from Italy, they took refuge in Corsica, their family alliances there were also noble. They were likewise of the Ghibelline party, opposed to the Guelphs. Napoleon's blood was, therefore, always inimical to the royal house of Hanover, by whose English ministers he was overcome and his family cast down from the thrones on which he seated them. Son of a Corsican noble, the Emperor was educated in France by royal bounty. His earliest impressions were, therefore, entirely aristocratic; and next to filial affection he must have felt grateful reverence for his royal benefactors. His aversion to those French revolutionists who condemned their king to death was constant and irreconcilable. Joseph often told me that the Emperor's opinion was that the conventionalists were incompetent judges, and had no right to sit in judgment on their king. When about to invest the first savings of his military pay in the purchase of real estate, his orders to his agent were not to risk the sum in national domain, as confiscated property was called. He said at St. Helena, that he was of a noble family fallen into obscurity. Those who voted the king's execution, he called assassins. The property of princes and nobles confiscated for emigration, he considered held illegally. He often said, jestingly, to Cambaceres, "if the Bourbons return I shall escape, but you will be hanged." When he married Josephine, her social superiority and noble connexions were objects with him. Not only was her social position so much better than his as to render her hand advancement for him, but she had some fortune, while, except his pay, he had nothing at all. It is a fact, therefore, which has been paraded and misrepresented by many of his biographers, that a few days before their marriage, one morning when she was abed in her chamber,

with her future husband and several other persons in the room, Raguideau, the notary she had employed to draw the marriage articles, coming in, they all left the room except the future husband, who withdrew to the window, while the notary placed himself at her bedside. After despatching their business, Madame Beauharnais asked her notary what was generally said of her second marriage. Raguideau honestly answered that it was not well thought of, to marry a man several years younger than herself, a mere soldier without fortune, nothing in the world but his sword and regimentals, whom she would have to support, who might be killed in any battle and leave her with an increased family to maintain. The widow then enquired of her notary what was his own opinion; who replied, that he thought with her fortune she might make a better match. "Your officer," said he, "I dare say is a worthy man, but he has nothing." She then called Bonaparte from the window, where he stood drumming on the glass, and said to him, "General, did you hear what M. Raguideau said?" "Yes," said he; "he spoke like an honest man, and I like him for it. I hope he will continue in charge of our business, for he has gained my confidence." Ever after he treated Raguideau with respect, and promoted his interest; but did not mention his objection to the marriage at his coronation, as several biographies relate. What he actually said on that great occasion, recurring to former days of insignificance and destitution, with a natural sentiment of affectionate simplicity, contemplating the magnificent evidences of imperial grandeur surrounding his family present, was, "Joseph, if our father could but see us!" Menneval, who heard him say so, a man of truth, entirely to be relied on, declares that family feeling, still warm in Napoleon's heart, had much more to do with that exclamation than intoxication of glory, of rank, or of power.

Joseph told me that Josephine constantly inclined her husband more and more to noble associations, to which, at last, his own preference proved one of his greatest weaknesses and misfortunes. The proof is sufficient to justify belief that Napoleon, coinciding with the revolutionists in aversion to the Bourbon royalty, yet deemed nobility and monarchy essential,

like reformed religious establishments, to good French government: but monarchy without divine right, nobility without privilege, and the church perfectly tolerant of all sects, including Jews.

An ingenious fable was suggested to render Bonaparte legitimate monarch of France by successive and divine right, as lineally descended from Henry IV. and the other Bourbon kings. An accredited conjecture concerning the man in the iron mask, was that he was twin but elder brother of Louis XIV. The governor of the Isle of Saint Margaret, charged with the custody of that mysterious prisoner, named Bonpard, was not uninformed of the claim of his charge to be king of France by better right than Louis XIV. Bonpard's daughter and the prisoner becoming attached to each other, the governor apprised the king of their attachment; who believed that no detriment to him could result from letting his unfortunate brother console his solitude and misery by a harmless attachment. The man in the iron mask and Governor Bonpard's daughter were therefore allowed to be married, as the inventor of the fable declared it would be easy to verify by the marriage register kept at Marseilles. The children of that marriage, always clandestinely born, were privately taken to Corsica for concealment, and there, it was added, to keep up the deception, took their mother's name of Bonpard, which in Corsica became Bonaparte. In this way Napoleon was made to descend lineally from Henry IV., and to be entitled to his throne. But the story was little attended to; for even if true, the right was in Joseph. The Bonapartes, never French, were a noble Italian family, for six centuries distinguished in arms, literature, and the church. For the last two hundred years preceding their translation to France, they inhabited Ajaccio. At Treviso and Bologna, during Napoleon's Italian campaigns, the family arms were exhibited to the victorious commander by persons of consideration, who thereby sought to win his regard; and it is said that the armorial bearings were a rake and golden lilies, like the Bourbon arms. At Florence, an Abbé Gregory Bonaparte entertained Napoleon and all his staff with costly hospitality, showed him the titles attesting the

nobility of the Bonaparte family, and by his will left him a considerable fortune, which Napoleon presented to a public institution. The Corsican survivor of the family, Lucien Bonaparte, Archdeacon of Ajaccio, died there in 1791. Napoleon's father died at Montpellier in 1787, leaving the care of his wife and children to Joseph, then seventeen years of age, and to their uncle, far advanced in years and bedridden with the gout. Joseph, with his father's last benediction, received his injunction to relinquish the military profession, for which he was preparing in France, and return to Corsica, there to superintend the family concerns. From 1787 to 1791, when Archdeacon Bonaparte died, Joseph was the immediate head of the family. Napoleon, when a lieutenant in the regiment of La Fere, visited his uncle in Ajaccio, soothed his infirmities and dissolution by the tenderest attentions, wrote to Paris for medical advice how to treat his complaints while his uncle lived, and after his death always treated his memory with the utmost veneration.

The stock was excellent from which Charles Bonaparte's eight adult survivors of thirteen children sprang. His wife, their mother, Lætitia Ramolino, was of a noble Corsican family, not rich, but respectable, and employed in public services. All the children were born in their father's house, at the town of Ajaccio, except Joseph, who was born at their country residence, near Corté, not far from Ajaccio. There, till lately, and probably yet, the family mansion stood, embowered in vines and olive-trees; and a rocky grotto, hard by, to which Napoleon retired for his studies, when at home in vacations. A fruitful old vine, called *Esposata*, grew there, of which the fallen Emperor, in his loquacious recollections at St. Helena, spoke with grateful remembrance, as having, by sale of its fruit, defrayed the slender charges of some of his juvenile journeys to France. When chief magistrate, he made the vine a present to his Corsican nurse, whom he sent for to Paris; and would have given her the whole estate, but that she, being unable to manage it, was therefore otherwise bountifully provided for.

It has been published that Napoleon's mother, taken with the pains of child-birth in church, brought him forth in her

parlor, before she could reach her chamber. That story Joseph denied to me; but added that his mother's frequently accompanying on horseback, when pregnant with the future Emperor, their father in his campaigns, might not have been without influence on the daring mobility of his career. She was a brave and ardent patriot, like many Italian women of noble birth, not highly educated; not accomplished even in the usual feminine attractions of music and dancing; but of sincere, cheerful, resolute, constant and masculine spirit, which fitted her to be a hero's mother, and undergo, with unshaken fortitude, the terrible vicissitudes of his prodigious rise and terrible fall. Within the same fifteen years she beheld her humble Corsican home burned, devastated and ruined several times; French, Italian, Spanish, and German palaces filled with monarchs of her own family, then driven from them in banishment, and scattered, with prices set on their heads, throughout Europe, America, and Africa. Still handsome, as she had been beautiful, after burying her husband before he was forty years of age, and five of their children in Corsica, she was obliged to remove to France, to live some time near Marseilles, in straitened circumstances; the talents of her three elder sons, and the charms of her daughters, their mother's main reliance. M. Thiers consigns to history, that, at one time, she preferred Lucien to Napoleon. At all times she sympathized with the humbled against the exalted; warmly and loftily vindicating against an imperial son, another whom she deemed hardly dealt by; loving Lucien when driven into exile, more tenderly than Napoleon who drove him there. Lucien and Louis abundantly proved that they did not desire thrones, and Joseph preferred elegant ease to royal commotion. When the Emperor forced him from the tranquilized and reformed kingdom of Naples, to undertake the convulsed Spanish monarchy, there to be thwarted by French marshals, and chid by their imperious master, Joseph remonstrated with passionate appeal, and the provoked Emperor said angrily to their mother, "*Your Joseph is not fit to be king of Spain,*" with offended motherly dignity, she retorted, "No; he should have taken holy orders, as was intended. Then, if become Pope, he would not have consecrated you Emperor, which would have

saved the rest of my sons a deal of trouble." In a remote and primitive province like Corsica, where, Joseph told me, numbers of the people live on chestnuts, parental authority is revered, and filial obedience a sort of worship. Control of her sons, habitual from their infancy, though necessarily changed by time and circumstance, never degenerated into fearing or flattering the greatest of them. Joseph loved to say that she had been called the mother of the Gracchi. She was the female of the family least dazzled by their immensity. Josephine, who censured her parsimony, was censured by her mother-in-law for wasteful extravagance. "Who knows," said the mother of so many monarchs, "that I may not be called on, some day, to support all these kings and queens?" And when she was told that Napoleon's emancipation might be aided by her means, without hesitation she proffered all he had ever given her for his relief. A complete and splendid dinner-service of gold, which the Emperor, in his prosperity, presented her, she bequeathed to Joseph, who used it on his table in Philadelphia. But her wealth, like his, was much exaggerated by public opinion.

Among the Bonaparte figures at Joseph's residence in New Jersey, Point Breeze, executed in fine Italian marble by the best sculptors, none were more remarkable or suggestive than the bust of Lætitia, the mother, with her large, prominent, positive features, her hair curling down the shoulders, and look altogether of strong character, in one room; in another, the full-length statue of the naked baby king of Rome, her grandson, sleeping; a child born to such vast French expectations, his adolescence wasted in German mystic seclusion. On the mantelpiece in the dining-room stood the small bronze figure of *General Bonaparte* (now mine), cast, perhaps, before he dreamed of empire; his princely son brought up ignorant of his father, till at last his wonderful career was revealed to the amazed youth by the leading author of his father's betrayal and overthrow, Marmont. Æras of vicissitudes were in the three ages of the three marble figures, mother, son, and grandson; and legends for future romance in the lives and deaths of historical personages, of whom their contemporaries are divided into

eulogists and traducers, flatterers and maligners, confounding reality.

Her half-brother, Cardinal Fesch, was the son of a captain in a Swiss regiment, serving with the French army in Corsica, garrisoned at Ajaccio, where he married her mother, after the death of her first husband. During part of the revolution, like the present Pope, Pío Nono, and many other clergymen, Cardinal Fesch was attached to the army. On his death, in 1839, he bequeathed to Joseph Bonaparte nearly his whole fortune, consisting of a large collection of paintings at Rome, then valued at some millions of dollars, but which sold for only some hundred thousand. Joseph expressed to me his wish to exchange all those pictures for a grant of public lands, by act of Congress, to establish a gallery of paintings, to be preserved for exhibition at Washington. I have regretted, since, that I discouraged his overture, and did not submit the suggestion to Congress. Ambitious edifices, statues, paintings, gardens, and public enclosures already embellish Washington, favored by the most democratic chiefs of republican government. Jefferson ornamented the capitol. Jackson proposed to build a bridge over the Potomac, which would have been like a monument of Roman grandeur. Mr. Clay suggested a zoological garden: and an admirable garden of plants might be fixed there, with contributions from Texas, California, Oregon — all the world. Building, farming, all mechanical manipulations, would be benefited by elegant models, like some already placed there by the most democratic of republican administrations; and such cultivation of the elegant would promote the useful arts.

General Arrighi, a Corsican cousin of Napoleon's mother, was created by him Duke of Padua; and is still living in opulent retirement, having, unlike most of the Emperor's dukes and other noblemen, refused the honors tendered to him by the Bourbon kings. A respectable American tea merchant, named Thayer, married to an Englishwoman of humble situation, who died an inhabitant of Paris, gave one of his daughters in marriage to a son of the Duke of Padua, and another to a son of Bertrand, who visited this country, the follower of

Napoleon at St. Helena. The American Thayers, like the Corsican Arrighi, outlived the Bonapartes in Bourbon tolerance, and remain respectable French to this time: Mr. Thayer is now Postmaster-General of the French Republic.

Napoleon's oldest sister, Eliza, was well educated at the royal establishment of St. Cyr. In 1797, when Napoleon's Italian victories had raised his fortune and his pride, she married, contrary to his wishes and ambitious views, a poor captain of infantry, Felix Bacchiotti, like herself noble and Corsican, and like her, too, respectable and well-disposed. Sometime after, having been excluded for that marriage from her brother's society and good-will, Eliza wrote to him — "My first child was born when you were angry with us: and I miscarried of the second. A happy pregnancy, and other agreeable circumstances, make me hope now that the third will be a nephew, whom I promise you to make a soldier; but wish him to bear your name, and that you should be his god-father. I trust that you will not refuse your sister. Because we are poor, you will not disdain us; for, after all, you are our brother, our children are your only nephews, and we love you more than fortune." When Eliza became reconciled to Napoleon, she went to reside at Paris, and lived at first with her brother Lucien; from whom she acquired the taste which she always displayed for literature and the fine arts. Poets, painters, dramatists, and men of letters were her favorite companions, particularly Boufflers, La Harpe, Chateaubriand and Fontanes, of whom the last named was said to be her lover: for of these warm-blooded Corsican females, marriageable at thirteen years of age, there was not one of Napoleon's three sisters, to whom one or more lovers were not ascribed by public, perhaps scandalous report. In 1804 the Emperor Napoleon created Eliza and her husband princes of Piombino, and soon after of Lucca, and Eliza Grand Duchess of Tuscany, of which she and her husband took possession, and were crowned as sovereigns in July 1805. Eliza governed there so ostentatiously that she was called the Semiramis of Lucca; her ambition inducing the ridiculous vanity of having coin struck with her prominent profile, almost concealing her husband's. She continued,

however, to patronise letters and the arts ; and, like all the reigning Bonapartes, introduced many valuable improvements and governed wisely. On the occurrence of Napoleon's disasters in 1814, like him betrayed, deserted, and persecuted by those whom she had most favored and enriched, she fled to Naples, hoping for Murat's protection, which he refused her as he did his aid to Napoleon. On Napoleon's return from Elba in 1815, Eliza established herself at Trieste, under the Austrian government. Afterwards she joined her sister Caroline Murat at the castle of Haimbourg, not far from Vienna, and then at Brumm. Finally, she resided at her estate called Saint Andrea, near Trieste, with the assumed title of Countess of Compignano, where she died in August, 1820. Her only son was killed by a fall from his horse. Her only remaining child, a daughter, named Napoleon Eliza, born in 1806, married a rich nobleman of Ancona, Count Camarata, after whom she has come to be called the Camarata. "Eliza," said Napoleon, "has the courage of an Amazon ; and like me, she cannot bear to be ruled." Some writers attribute to her a fierce remonstrance with her brother against the impending execution of the Duke d'Enghien. Her daughter, the Camarata, is remarkably like Napoleon in face and features, and strongly resembles her masculine mother in virility, enterprise, and hardihood. On the expulsion of Charles X. from France, in 1830, she visited Vienna, in order to liberate her cousin, the young Duke of Reichstadt, and, as Napoleon II., present him to the French people for their monarch, instead of Louis Philippe. Her statue as a girl was among the ornaments at Joseph Bonaparte's house in New Jersey, where I met two of the sons of Fouché, Duke of Otranto, so largely instrumental in the Emperor's overthrow, and from which house one of the young Fouchés was sent by Joseph to Vienna, to endeavor to procure the enlargement of the young Napoleon, in order to put him at the head of France. Their father, the famous or infamous Fouché, died at the residence of Eliza Bonaparte, near Trieste, bitterly repentant of his agency in restoring the Bourbons to the French throne, thereby distressing France with a revival of obsolete royalty, scarcely

less sanguinary or cruel, much more costly and disgraceful, than the most terrible revolution.

Before Bonaparte went to Egypt, the second and most beautiful of his sisters, Pauline, married Emanuel Le Clere, who fell in love with her when living near Marseilles in exile and poverty. He died at St. Domingo in 1802, commander of the French expedition for the recovery of that colony, whither she accompanied him, and also her brother Jerome, as commander of the sloop of war *Epervier*, afterwards captured from the French by the English, and from the English by the Americans. Pauline's son by Le Clere, named Dermide by his godfather, Napoleon, died an infant. In November, 1803, she married Prince Camillus Borghese, a rich and respectable Italian of noble family, which furnished Pope Paul V. to the See of Rome, whose nephew, perhaps son, married Jane Bonaparte. Pauline had no issue by her second marriage. She was remarkable for being without the ambition of her two sisters. Splendour in dress, equipage, furniture, social distinction, was her aim; devoted to Napoleon as a brother, and indebted to him for the munificent endowments by which he marked his affection for her, but always intractably independent of him as sovereign, — so self-willed that she often resisted her imperious brother's imperial desires; and on several occasions exhibited so much spirit, that she was called a Spartan woman with *Armidæ's* face. She was but thirteen years of age when taken by her mother from Corsica to France, where it was said that she was near being married to Fréron, one of the most notorious Jacobins, which marriage was prevented by the claim of another female, insisting that she was Fréron's wife. General Duphot, who was killed in Joseph Bonaparte's house when French minister at Rome, and at his side, by a mob, was among the many lovers enamoured by Pauline's beauty and charms. The Emperor created her Duchess of Guastalla, and gave her more than two hundred thousand dollars a year for her expensive mode of living, sometimes at Rome, sometimes near Paris, where she occupied the palace of Neuilly, before and afterwards the elegant residence of the Duke of Orleans, who left that residence to become Louis Philippe, King of the French. When

Napoleon was overthrown, Neuilly became the property of Murat, and was in his occupation. On the return of the Bourbons, Louis XVIII. restored it to his cousin, the Duke of Orleans. But for many years the children of Murat claimed it as their property; and soon after the revolution of 1848, Lucien Murat left his long residence in this country and went to Europe, as was said, to establish, by law, his right to Neuilly. Lately it has been confiscated by President Bonaparte to the State. The Orleans family have protested, and instituted legal proceedings to establish their title to a property, which, whomsoever it belongs to, has been subject to several of the many changes caused by French revolutions.

When Napoleon was overthrown in 1814, his sister Pauline, who had often defied his imperial sway, left her Italian palaces and the splendors to which she seemed devoted, to share his banishment at Elba. Hastening to join him on his way thither, she kept house for him, offered all her large means for his aid, exchanged luxurious elegance for reduced and precarious subsistence, and evinced attachment for her brother greater than for grandeur. The Emperor, before that trial and proof of her nature, used to say that she was only a drawing-room beauty, full of grace, and fond of display, but deficient in energy and fierceness, and unfit to govern. When put to the test, she proved better than he supposed. She was the medium of Napoleon's reconciliation with Lucien, and instrumental in the Emperor's return to France. After his final abdication, Pauline resided at Rome in elegant retirement, occupying one of the palaces of the Prince Borghese (who lived at Florence) till she died, in June, 1825.

Three months after the Consulate began, Bonaparte's youngest sister, Caroline, handsome, but not so beautiful as Pauline, married a fine-looking soldier, Joachim Murat, an innkeeper's son, who served with her brother in Italy and Egypt, and returned with him to France. With that handsome and heroic, kind and amiable, but weak and unfortunate husband, Caroline was promoted to Grand Duchies and a kingdom; first the German principality of Cleves and Berg, and then the kingdom of the two Sicilies. Infatuated, as nearly all Napo-

leon's favorites, like himself, were by excessive elevation, Caroline and Murat, as queen and king of Naples deserted and betrayed the Emperor in the crisis of his fate, by which they ruined themselves. Murat was put to death with all the inhuman barbarity of Italian Bourbon vengeance, and Caroline degraded to humiliating supplication to the restored French Bourbons. Murat's genius was for a charge of cavalry. In that he was a brilliant giant. On a throne he was a good-humored pigmy, entirely out of his natural sphere. And he forfeited that to which his brother-in-law raised him even more by incapacity than treachery. Speaking of Caroline at St. Helena, Napoleon said that "she was regarded in infancy as the fool of the family, but appealed to some purpose from that injustice when formed by circumstances, and became a woman of great capacity. There was stuff in her," he said, "great firmness, and inordinate ambition." He used, when Emperor, to say — "Any thing Caroline undertakes she will accomplish, and she will never be ruled. They say she is ambitious and inconstant, as she may be for aught I know." During her husband's absence, commanding the cavalry of Napoleon's grand armies, Caroline, as regent, governed the Neapolitan kingdom with ability, where the reign of both king Joachim and his wife was liberal, judicious, and ameliorating. She was a woman of so much talent and ambition, that Talleyrand said she had Cromwell's head on a pretty woman's shoulders. A rebuke she encountered from the Emperor was still more significant. When she was teasing him for more kingdoms, "To hear you talk," said he, "one might suppose that I have disappointed you of the inheritance of the late king, our father." "She was the slut that ruined us all," said Joseph, not long before his death, in family chat. "Oh!" said his gentle little wife, "don't say so of your sister." "Yes I will," replied Joseph, "for she deserves it."

The two sons of Caroline and Joachim Murat took refuge in America; lived here many years; married here; and Achilles, the elder, a man of information and republican professions, if not preferences, naturalized as an American citizen, died in Florida. Lucien, the younger, resided many years in New

Jersey, near his uncle, Joseph Bonaparte, where he married Miss Caroline Fraser, the daughter, I believe, of an English half-pay officer. Joseph, as representing his sister in this country, refused his assent to that marriage; not because of any objection to the lady, whose character and conduct, he said, were unexceptionable, and who, moreover, he added, resembled his sister Caroline; but because Lucien was without fortune, or any means of supporting a family; poor, in debt, and extravagant, so that his uncle, if consenting to the marriage, might be morally bound for the charges of its results. While Lucien and Miss Fraser were thus affianced and hindered, a letter from his mother, the ex-queen, living retired in Germany, with the assumed title of Countess of Lipona, proposed an advantageous match for her son Lucien. In the height of Murat's royal elevation, the sovereign of a small German principality, with a few thousand subjects, was happy to ally himself by marriage with a female relative of the Grand Duke of Berg and the Emperor Napoleon. Two daughters, the issue of that connexion, grew up to womanhood, after the execution of King Joachim and overthrow of the emperor. The father of these German princesses being dead, his princely widow, casting about for suitable connexions for her daughters, selected Lucien Murat for one of them. Her inheritance was part of a principality, some hundred subjects, and a European fortune very considerable, compared with his complete destitution of any in America. His mother's suggestion of such a marriage, together with that of his cousin's mother, according to European, especially princely parental authority, was not to be disregarded. No sooner, therefore, was Lucien Murat apprised of so alarming a prevention of his union with Miss Fraser, than they hastened from Bordenton, where both lived, to Trenton, and there were forthwith lawfully married. Several children, and much difficulty in supporting them, being the fruits of that union, Mrs. Murat was obliged to maintain her husband and family by keeping a boarding-school, to prevent which, Joseph Bonaparte made them offers of assistance, that were rejected. On the downfall of Louis Philippe, once a schoolmaster likewise, and always a jealous and exclusive antagonist of the Bonaparte

family in all its branches, Lucien Murat went to France, to endeavor, by process of law, to recover some portion of his father's property, particularly the palace of Neuilly, General Eugene Cavaignac, lately at the head of the French Republic, had been one of King Joachim's pages at Naples; with whom Lucien Murat was, as soon as he appeared there, elected, in the place of his father's birth, a member of the French Convention, and afterwards one of the Paris members of the Legislature. Having had what his uncle Joseph often mentioned as the misfortune to be brought up a prince, Lucien Murat, during his many years residence in this country, displayed the princely inclinations of excessive fondness for horses, field-sports, and bodily recreations; in which, however, such eminent Frenchmen as Moreau and Grouchy likewise spent most of their time in America. Without his brother's literary qualifications or inclinations, Prince Lucien proved to be a popular republican in France, where he has recently become again prince, senator, and rich, by the bounties of his cousin, the President. Long American residence naturalized him in some American deportment and ideas; republicanized by good health, good nature, and an empty purse. Fleeing, in affright, from wedlock with a rich princess in Germany, to take refuge in the arms of a portionless and untitled, but respectable wife in America, seems to infer a nature such as princes should admire. His elder brother, Achilles, also married in this country, was a lawyer, postmaster and democrat in Florida; a small, ill-favored man, whose personal appearance was said to be owing to his mother, shortly before his birth, being with her brother Napoleon in the carriage when the infernal machine exploded near them. Lucien Murat, when he arrived in America, was an uncommonly handsome youth, in that respect well representing his still handsomer father and handsome mother. Of their two daughters, the elder married the Marquis Popoli of Bologna, and the younger, the Count Rasponi, of Ravenna. She is the author of a book entitled *Maxims of Natural History in America*. Achilles Murat likewise published a work on American institutions.

Napoleon, from first to last, when he was only a young soldier of fortune, Lieutenant or Major Bonaparte, to the last moment of his ambitious career as emperor, coveted wealth for its power, while he never loved money, and always sought grandeur with inordinate desire. As early as in 1793-4, his advice to Joseph, then a handsome young man of agreeable manners, was to marry a woman of fortune. And dying in his prison at St. Helena, he sent directions to his kindred to intermarry their children with each other, so as to keep up the Bonaparte family, and, above all, not to mix it with any Bourbon blood. There was, in Marseilles, a house of rich bankers, named Clary, royalist in their politics, and largely endowed with wealth; the head of which was Nicholas Clary, whose son Nicholas became an opulent banker at Paris. His sister Eleanor, daughter of the elder Nicholas Clary, of Marseilles, married a Mr. Anthony (Anthoine), one of whose daughters married Suchet, eventually Marshal Duke of Albufera, who, notwithstanding his connexion and promotion, became a noble servant of the Bourbon kings, by whom he was retained in their peccage; an excellent general and honest man of talents, whose military services were conspicuous in many fields. His wife's sister, another Anthoine, married Decr  z, a naval officer, made admiral and duke by Napoleon's creation, and his secretary of marine during all the Consulate and Empire; but not, by all his connexion, favors and titles, faithfully attached to his benefactor, nor capable, without patronage, of rising to dukedoms, or other dignities. Nicholas Clary's (of Marseilles) second daughter married Dejean, one of Napoleon's senators, and one of the few steadfast to his principles and his patron. A third daughter married Villeneuve, post-master-general under the Empire. The fourth daughter, Julia, in 1794 married Joseph Bonaparte, and brought him a fortune of about eighty thousand dollars. Her rich connexions, however, he often told me, were profitable to him not only as a Frenchman and prince, but also when, as king of Spain, he had the treasures of Mexico and South America at his command. Nicholas Clary's (of Marseilles) fifth daughter, Desir  e, married Bernadotte, and is now

Dowager Queen of Sweden. Joseph's wife, Julia Clary, small, homely, sickly, amiable, domestic, affectionate, devout, unambitious, and somewhat avaricious, was with him only a short time when king in Naples, and never in Spain or America; so that, during thirty of their nearly fifty years of married life, they did not live together. But both being of kind and amiable tempers, their harmony was uninterrupted; and at last he died, affectionately residing with her in Florence, on the 28th of July, 1844; and she there, on the 7th of April, 1845, a few months after him. His last will bears strong testimony to her quiet and retiring virtues, and to his own invariable disposition to make the best of whatever was tolerable; for Joseph, of an affectionate nature and kind feelings, was an optimist and a philosopher, not only on a throne, as a highly competent judge, General Lamarque, said of King Joseph, on the throne of Naples; but always and everywhere, in Italy, Spain, France, England and America, on all occasions, in good or bad fortune, a philosopher; with a great part extremely difficult of performance; because secondary to, and eclipsed by, that of an immense younger brother, to whom he was subjected, and with whom he is compared.

Joseph's eldest daughter, Zenaide, several years with her father in this country, was educated and expected, her father told me, to be married to Francis I., Emperor of Austria, who was married four times. By his second wife, daughter of the king of Sardinia, his eldest daughter was Maria Louisa, who married Napoleon. The Austrian Emperor's fourth wife was the sister of Eugene Beauharnois' wife, both daughters of the king of Bavaria: the Austrian Emperor's wife having been married to, and divorced from, the king of Wurtemberg, whose daughter married Jerome Bonaparte. If Zenaide Bonaparte had been married, as expected, to that Austrian Emperor, probably his daughter would not have been selected for Napoleon's wife, as she would have been step-daughter of his niece; on which might have depended the duration of his dynasty.

Joseph Bonaparte and Julia Clary had two children, who lived to womanhood. Zenaide married Charles, the eldest son of Lucien Bonaparte, by whom she has a family of eight or

nine sons and daughters. The eldest of them, Joseph, was born in Philadelphia, in the house then rented by Joseph Bonaparte from Stephen Girard, and inherited by his grandfather's will, the principal part of his American property, which the grandson latterly converted into cash; altogether, real and personal, not amounting to one hundred thousand dollars. Lucien Bonaparte having been invested by the Pope with an Italian principality, and entitled Prince of Canino, that estate and title, at his death, devolved on his eldest son Charles, who has lately risked both as a member of the Roman Republican Convention. His title during his father's life, and his son Joseph's during Charles's life, being Prince of Musignano, both those titles he renounced by the revolt, which has effected little else than indicating, perhaps, a general anxiety of the Roman, it may be Italian people, to free themselves from Austrian and ecclesiastical control. Both of Joseph's daughters lived several years with their father in this country; where Prince of Musignano, Charles Bonaparte, composed his work on Ornithology. After the return of Joseph's daughters to Europe, the younger, Charlotte, married her cousin Napoleon Louis, eldest son of her uncle Louis, ex-king of Holland, entitled Count of St. Leu. Her husband died, after a short illness, taking part in the Italian revolt which followed the French revolution of 1830, as was suspected, of poison, though there was no proof of it; and that suspicion has been extremely common in many such cases, in all ages and countries. His widow, Joseph's youngest daughter, Charlotte, died childless, in 1839, in Tuscany.

Desirée Clary, much handsomer and more attractive than her elder sister Julia, without being regularly and openly affianced to Napoleon, was engaged, by an understanding between themselves, to be married soon after her sister's marriage to his brother Joseph. They had exchanged letters, portraits, and other tokens of love, when the Clarys, to escape the revolution, emigrated from France to Italy, and lived some time at Genoa, where Joseph Bonaparte and his wife went with them, and Joseph's first daughter was born, who died about a year old. Napoleon wrote to Joseph at Genoa, to ascertain whether Desirée

Clary's attachment for him remained unaltered: to which Joseph answered, discouraging Napoleon by statements of the royalist and anti-revolutionary attachments of the Clarys; whereupon his engagement with Desirée Clary was put an end to; and some time after she married Bernadotte, though a republican revolutionist much more pronounced than any Bonaparte. Several years afterwards Napoleon called for his love-letters, which were given up by Desirée; who, after marrying Bernadotte, continued so intimate with Bonaparte as to defer the christening of her son till her former lover could stand godfather to the child. With his romantic fondness for the wild poetry of Ossian, Bonaparte named Bernadotte's son Oscar; by which title the godson now respectably reigns king of Sweden, long since his godfather, Napoleon, with all the Bonaparte kings and queens, have been dethroned, and their immediate descendants disfranchised of all royalty; — for the Beauharnois have been much more fortunate as royalists than the Bonapartes, by whom the Beauharnois and the Bernadottes were raised to thrones.

The brothers-in-law, Bernadotte and Joseph Bonaparte, remained to the last, I believe, on good terms; and Joseph, who never quarrelled, by kindly interposition appeased several ruptures between his brother Napoleon and brother-in-law Bernadotte. But after giving him an imperial lift, and with liberal loans of money, to the crown-princedom, which paved his way to the kingdom of Sweden, Napoleon, with Joseph's earnest aid, in 1813, could not dissuade or deter the crown-prince Bernadotte from heading the allied armies marching to invade France and overthrow the Emperor. Emperor Alexander proposing Bernadotte to supplant Napoleon as French Emperor, was irresistible motive for hostility and hope. Alexander held the Bourbons in undisguised contempt, and patronised Bernadotte, who used to say of Napoleon's vanity, that the Corsican was more of a Gascon than he (Bernadotte), who was born Gascon.

Bonaparte's union with Desirée Clary would have been more of a love-match than his marriage with Josephine. Both ladies were royalists; and Desirée a rich man's daughter. But she had no political influence, not even metropolitan residence; whereas

Josephine was a Parisian belle, widow of a nobleman and republican general, and her coterie had influence with the nobleman, Director Barras, whom she might induce to advance her husband, a promising aspirant near six years younger than herself. The calends of his advancement, by dates at that eventful period, are, 5th of October, 1795, (in the republican calendar, 13th Vendemiaire, of the fourth year of the Republic,) battle of the Sections. There, for the first time, he commanded, and subdued the terrible, turbulent mob of Paris so effectually that there was no other occasion for their chastisement during the next twenty years. Very soon after that exploit, on the 26th of October, 1795, he was appointed commander of the army of the interior; and within four months, on the 23d of February, 1796, commander-in-chief of the army of Italy. On the eve of his departure to perform on that theatre of his youthful and purest glory, he married Josephine Beauharnois, the 8th of March, 1796, to whom he was beholden for promotion to it, and who was at all times his devoted domestic guardian if not faithful wife.

With his first proclamation to the starving, ragged, and demoralized army in Italy, began Bonaparte's meteoric zodiac. To omit his campaigns is to leave out his greatest glory. But all I attempt is to describe, not the hero, but the mere man, who, during twenty years, (from 1796 to 1816,) when every year was as pregnant as most centuries, was the focus of universal animadversion. With much flattery and adulation, infinitely more detraction was mixed in his description; and truth can be reached only through heaps of misrepresentation. Two-thirds of subjugated and exasperated Christendom taxed their sharpest wits and pointed their ablest pens to denigrate the terror of all. In this country England was our chief teacher, with some French instruction still more maledictory. Walter Scott's romantic fancy, spent on a life of Bonaparte, at least affects candour. Lamartine's imaginative vilification flows in a constant stream of undisguised predilection for wretched royalty. If on this side the broad Atlantic truth may be told, it seems impossible among European parasites and prejudices.

Bonaparte's two marriages are both highly evidential of his peculiar individuality. Of domestic habits, warm affections, and strong family attachments, sexual love was not his ruling passion. Both his marriages were made for him, and both for position. Neither was a love-match, the first hardly more than the second. Bonaparte was probably never an ardent lover. Lord Holland's lately published recollections, make him say truly of himself, "I am not very fond of women, don't like gambling, in fact nothing; I am altogether a political being." So his brother Joseph used to say that Napoleon, arguing from Joseph's frequent amours, would tell him that "No one must meddle with my political plans. Meddling with my politics is like meddling with your mistresses. Politics are my only mistress, and I will not allow any one to meddle with her." Scott rightly represents Josephine as rather courting Bonaparte than he her, and both for the advancement which her influence with Barras might procure her husband. Though a kind, fond husband to both his wives, yet he was rather uxorious than amorous. His ruling and absorbing passion was to govern. Larmartine, in his always charming but constant disparagement, generally introducing wives and mistresses in romantic stories, after making Napoleon ill-treat two wives and two mistresses, adds "numerous fugitive amours." But how would he answer Josephine's biographical and other vindicators, who represent her as saying, that if it was her misfortune to have no children by her second husband, it was not her fault? Bonaparte loved to rule more than he loved the sex; and he would not suffer any woman to rule. Born despotic, and made more so, there was a Salique law in his family as in his empire. He treated women as he did soldiers, with a kindness that seldom failed to attach them. But he sacrificed the feelings of women as he did the lives of soldiers, for his aggrandizement. When enormous power overthrown filled the world with profitable maledictions of him, domestic heartlessness was imputed to the man who, in his utmost degradation, was never deserted by more than one member of his numerous immediate family, (his sister Caroline, as queen of Naples,) by neither of his wives, neither of his mistresses, none of his soldiers, or by many of the masses. Wo-

men are, for the most part, with monarchs, commodities or things of state, to be exchanged for provinces, or bargained for peace. Kings of Bavaria and Wurtemberg, and grand dukes of Baden, sold Napoleon their daughters. Austrian and Russian emperors, Spanish-Bourbon kings and princes, competed for his family alliance. The emperors of Austria and Russia bid highest for the advantage of marrying a daughter or sister, if, as they urged, Napoleon would make room for another wife by repudiating the one he had. Such are the imperial, royal, and princely apologists whose acts plead Napoleon's cause as a family man.

Maria Joseph Rose de Tascher, styled De la Pagerie, born the 27th of June, 1763, in the little island of Martinique, was thirty-three years old when she married Bonaparte, in March, 1796, then twenty-seven. By one of those French assumptions unknown in English nomenclature, she is called Josephine. Napolione Bonaparte, as his name is registered in the marriage contract,—not Napoleon, as since spelt, nor Buonaparte, as many chose to name him,—Napolione Bonaparte, born a Corsican, and Maria Tascher, born an American, as monarchs of a vast French empire, awed all the world they did not own; so that trifling particulars of their nativity, pedigree, persons and habits, are important historical circumstances. Napoleon's father, Charles, a Corsican noble, poor but respectable, was dissipated, I have understood, and died, before forty years old, of the same kind of cancerous affection of the stomach that carried off his son Napoleon and daughter Caroline before they reached old age. Of Josephine's father, history has not deigned to tell much. Her mother was a Creole of uneradicable preferences for a very narrow home, with a will as inflexible as that of her imperious son-in-law. Insensible to all his orders and her daughter's invitations, the transatlantic gnarled root of several royal dynasties of Europe, whose descendants are now connected with the royal families of Bavaria, Sweden, and Portugal, and the imperial Russian and Brazilian families, positively rejected all the French Emperor's orders to abandon her mean domestication for Parisian splendor. Her slaves, guinea-pigs, goats, and other such pets, were dearer to her than her son-in-law's

grandeur. "She was," he said, "a mere boor, delighting in rabbits and dung." Nothing would induce her to leave her plantation, where she died of a cancer, in 1807; when, not having been recognised as a member of the imperial family, its court regulations did not permit that mourning should be worn for her death. Still, like the Emperor's mother, likewise not without misgivings of his dynastic stability, the instincts of Josephine's poor ignorant mother were more prescient than all Napoleon's vast knowledge. Two simple old women felt, what he could not perceive, that his empire might not last. Josephine's foster-sister, Lucette, disappointed of the emancipation from slavery which she insisted her mistress promised, attempted to poison her in a plate of soup, and was burned to death for the offence.

That crone, with will as inflexible as her mighty son-in-law, as far as I know, had no child but the daughter entitled the Empress Josephine; a lady of imperturbable sweetness of temper, with no more acrid or acid than her mother's sugar; gracious, graceful, rather handsome, charitable, not much educated, and less informed; as fond of pets as her mother; like Maria Antoinette, having faith in fortune-telling and palmistry; who could only embroider, but was not taught either music or painting; first offshoot of the root of several royal dynasties; caressing to all mankind, and so intimate with several, that her courting condescension excited suspicions of her virtue. As soon as her lover was about to take command of the army of Italy, which her influence with Barras was effective in procuring for him, they were married. His marriage with an emperor's daughter was an imposing ceremonial;—religious, gorgeous, and calamitous downfall. That with the West India widow, — humble stepping-stone to prodigious prosperity, — according to revolutionary reforms, was a mere civil contract, at a broker's office, almost without witnesses, with no religious rite, and hardly solemnized at all. One obscure person, named Calmelet, on her part, and a young officer, scarcely of age, (Barrois,) on his, alone attended, when, as the broker certified, on the 8th of March, 1796, Napoleon and Josephine were married. No nuptial benediction was

given. No honey-moon followed. She married contrary to her notary's advice. He married opportunity. Within three days after that raw and cheerless March Tuesday, the bridegroom, much more enamored of glory than of woman, fired with lust of renown, and pregnant with genius, hastened from the bride's embrace to take possession of her dowry, the command of an army to be forthwith led to the conquest of Italy. The first offspring of that marriage was the victory of Montenotte, elder born of a hundred more from the same loins. Tender love-letters, however, from the victor in Italy to his wife at Paris, told her that he expected also other offspring, but which never came. Like all Bonaparte's female intercourse, his love-letters were warm with fondness and eloquent respect of woman. When the rising sun of his fame was up above the horizon, Josephine went to Italy to bask in its beams; escorted by Barras' secretary, Charles Botot, a young officer, of whom, during Bonaparte's absence in Egypt, he was induced to become furiously jealous. Her first husband, Beauharnois, also angrily accused her of infidelity. But of all the aberrations imputed to Bonaparte, little has been said of his few infidelities to Josephine. Reconciled on his return to France, she was his constant companion and devoted wife during the Consulate and most of the Empire; extravagant in expenses, with aristocratic propensities, always amiable, the tender and affectionate helpmate of a husband intensely desirous of posterity, till by innumerable flatterers, imperial, royal, princely, noble, and Jacobin, made to consider wives as only dynastic instruments. After several years of unexampled grandeur, the Empress Josephine began to be haunted with horrors of divorce at the death of her grandchild, Louis Bonaparte, and Hortensia Beauharnois' first son, first imperial heir, who died of croup, in Holland. And her fears helped to suggest her misfortune. At last, when more than fifty years old, and all hope of children was extinct, divorced, Josephine still continued tenderly to love her husband, though married to another wife; loved their child; weeping in all the bitter grief of cruel repudiation, declaring, "the Emperor's soul is noble, his heart sympathizing and grateful; to the sentiments of an honest

man he joins a wonderful memory for local objects and little things."

Her children by her first husband were Hortensia and Eugene Beauharnois. In love with Duroc, Hortensia was forced to marry Louis Bonaparte, he in love with the afterwards celebrated wife of Lavalette, and undisguisedly averse to marrying Hortensia. Much better educated than her mother, she was without the hardier ambition or talents of Eliza and Caroline Bonaparte. Scandal was busy with Hortensia's character. Count Flahaut, said to be the natural son of Talleyrand and Madame de Sousa, the brilliant wife of a Portuguese ambassador, was reputed the father of one or more of Hortensia's children; of whom Charles Louis Napoleon, now President of France, is the youngest; so like his father, however, that his uncle Joseph said there can be no doubt, at any rate, of Louis' paternity; so self-willed and silent a child, that his mother called him "the gentle stubborn." Eugene Beauharnois was not a man of shining talents; an honorable, brave gentleman, and faithful to Napoleon till his first abdication. Then, protected and much befriended by the Emperor Alexander, he retired to Munich, his father-in-law the King of Bavaria's capital, where he remained passive during his step-father's last hundred days' struggle. Neither he or his sister were molested by Louis XVIII. on his restoration; who, at her solicitation, allowed her the title of Duchess of St. Leu. As Joseph told me, Josephine's influence was constantly inclining the Emperor to take the old nobility into his service,—of whom her first husband, Beauharnois, deemed himself one,—which may have helped to establish several Beauharnois on thrones, when not one is occupied by a Bonaparte.

In 1805, Eugene was married to the King of Bavaria's daughter Augusta, Duchess of Leuchtenberg, then engaged to be married to the heir-apparent of the Grand Duke of Baden; which engagement Napoleon caused to be dissolved, in order to marry his step-son to the Bavarian princess. By her, Eugene had two sons and four daughters. The eldest son married Donna Maria, now Queen of Portugal, and died six weeks after. The second son, now Duke of Leuchtenberg, married,

in 1839, the second daughter of the Emperor Nicholas of Russia, by whom he has children. In 1827, Eugene Beauharnois' eldest daughter married Bernadotte's only son, Oscar, now king of Sweden, by whom he has several children. In 1829, another daughter of Eugene became the second wife, and afterwards Empress Dowager of Pedro, Emperor of Brazil. The son of the Empress Josephine's aunt, Fanny Beauharnois, was appointed a Senator in 1804; and in 1810, Fanny Beauharnois was appointed maid of honor to the Empress Maria Louisa. In 1806, her grand-daughter, Stephania Beauharnois, was married, by the Emperor Napoleon, to Prince Charles, grand-son of the Grand Duke of Baden, who, in 1811, succeeded his grand-father in that fine principality, of which Manheim is the metropolis. One of the many published legends of the French imperial family is, that Stephania Beauharnois was so averse to the husband to whom she was married, that she had a maid-servant to sleep in her bed-chamber, to prevent his access. In 1806, the three sisters of the Grand Duke of Baden were married to the Emperor of Russia, the King of Bavaria, and the King of Sweden. The son of Stephania Beauharnois and her grand-ducal husband prematurely dying very young, when bitter family hatred existed to the Beauharnois connexion, gave rise to strange conjectures. It was rumored that the child, like the man in the iron mask, was not dead, but strictly confined somewhere, until 1828, when he made his escape, and appeared as the Caspar Hauser, who, at that time, produced so great a sensation: having never known a human being; could hardly speak any language; was discovered, soon after his sudden and inexplicable appearance, covered with blood, and then found murdered, without any discovery, or the least trace, of his mysterious life or death. The margrave, Louis Augustus William, uncle to Stephania's husband, was next him to the principality, by the failure of male issue of her marriage with his nephew. To prevent his succession, her husband, by his last will, appointed his half-brothers his heirs, who were illegitimate children of a left-handed, or what is called morgannetic, marriage; and the reigning Grand Duke of Baden is so by that testamentary arrangement. One of the Grand Duchess Stephania

Beauharnois' daughters married the Marquis of Douglas, son of the Scotch Duke of Hamilton, who is a duke, also, by both English and French titles. Others of Josephine's connexions were promoted by her husband; two of them named Tascher; also a Beauharnois, a cousin of her first husband, French ambassador in Spain, when seized by the Emperor.

In 1793, Lucien Bonaparte married his first wife, Christine Boyer, an innkeeper's daughter, who died in 1800, leaving two daughters, one of whom, Charlotte, with her father's approbation, rejected Napoleon's desire that she should marry the Prince of Asturias, afterwards Ferdinand VII., King of Spain, who solicited a female of the Bonaparte family for his second wife, having lost his first. Charlotte, destined for the Spanish crown, refused it, probably owing to her father's peremptory and passionate refusal to part with his second wife, in order to marry some princess, and mount the throne of Portugal, which the Emperor Napoleon in vain labored to bring about. Lucien was a man of many amours; and it has sometimes been said that Michael, prince of Portugal, who contended with Pedro, Emperor of Brazil, for the crown of the former kingdom, was the offspring of Lucien by the Queen of Portugal, during his residence at Lisbon, as French minister there. His eldest daughter, Charlotte, married the Italian prince, Gabrielli. Lucien's second daughter, by his first wife, married first a Swedish Count Cossé, from whom she was divorced, and then married Lord Dudley Stuart, brother of the Marquess of Bute, distinguished as a member of the House of Commons for his sympathies with the Poles and antipathy to their Russian masters. In 1803, Lucien, in despite and defiance of Napoleon's angry opposition, who, as head of the state, assumed also to be dictator of his family, married a beautiful widow, named Joubenthou, daughter of one Bleschamp; her first husband having been, in some way, connected with the French expedition, in 1802, to St. Domingo, and dying there. Of Lucien's several children by her, the eldest son, Charles, as before mentioned, married his uncle Joseph's eldest daughter. One of Lucien's daughters married the Italian Prince Hercolani; another married an Irish gentleman named Wyse, from whom she was divorced. As a French-

man, Lucien was so decided a republican that he was sometimes called Brutus Bonaparte. His eldest son, Charles, renounced the papal title inherited from his father, as Prince of Canino. Three others of Lucien's sons, Louis, and Peter, and Anthony, all members, lately, of the French republican Legislature, all sided with the democratic party.

Louis Bonaparte, in 1802, was most reluctantly compelled, by his brother Napoleon, to give up Miss Lepagerie, one of Josephine's cousins, to whom he was ardently attached, and marry her daughter, Hortensia Beauharnois, a lady of many attractions, but with whom he always lived unhappily. Of their three sons, the first died an infant, a few years old; the second, married to Joseph's daughter Charlotte, as before mentioned, died in 1830, in the Italian revolt; and the third, born in 1808, named Charles Louis Napoleon, is now the first President of the French Republic. Louis Bonaparte's first and true love, Miss Lapagerie, married Napoleon's aide-de-camp and post-master-general, Lavallette, and was the well-known heroic agent of his escape, assisted by General Wilson, from prison, and the death designed for him by Louis XVIII., and died insane, to the deep sorrow of Louis, who loved her to the last, and bitterly lamented her unhappy end.

Jerome Bonaparte, at the age of fifteen, was taken from college, and made a midshipman; in 1802, as lieutenant, commanding the sloop-of-war *Epervier*, (which vessel, after being taken by the English from the French, was taken from the English by the Americans,) he accompanied his brother-in-law, General Le Clerc, on the expedition to St. Domingo, and, after a long cruise, landed in the United States. At Baltimore, he paid his addresses to Elizabeth Patterson, daughter of a rich merchant there, and niece of General Samuel Smith, mentioned in my second volume as commanding at Baltimore, when attacked by the English, in September, 1814. Her family, to prevent the marriage, sent her to Richmond, Virginia. But, as usual in most such cases, objections were unavailing. On the 24th of December, 1803, they were married by Archbishop Carroll, according to the rites of the Roman Catholic church; and in the spring of 1805, went to Eu-

rope, in the United States sloop-of-war *Erie*. By order of the Emperor Napoleon, Jerome's wife was not allowed to land in Holland, where the vessel anchored in the Texel, and was therefore obliged to go to England, where, on the 2d of July, 1805, she gave birth to Jerome Bonaparte's first son, who now lives in Baltimore. In 1807, that marriage was civilly, but not canonically annulled, the Pope refusing to gratify the Emperor's exaction of that sacrifice. It has been said that Jerome's heirs were put in the rescript of succession to the imperial throne, as inducement to relinquish his American wife. He had what his brother Joseph called the misfortune to be brought up almost a prince; and carried extravagant dissipation to what the Emperor called hideous libertinage. But the Emperor added that he afterwards reformed; and that a good proof of it was his attachment to the excellent princess he married—Frederica Catharina, daughter of the Elector, created, by Napoleon, king of Wirtemberg, who married the sister of George IV. and William IV., kings of England. By that marriage, remotely connected with the English reigning royal family, Jerome Bonaparte, made king of Westphalia, and dethroned with his brother, had a son who died adult in Italy; another son, since known as Napoleon, a democratic member of the French republican Legislature, and a daughter, Matilda, married to the Russian Count Demidoff. His son Napoleon is said to be a young man of good abilities; and it was reported that Matilda was at one time about to be married to her cousin, the President of France. Jerome's queen, the Wirtemberg princess, since dead, was a lady of fine personal appearance and exemplary conduct on all occasions. Throughout a life mostly of tribulation, she adhered to Jerome's fallen fortunes with constant fidelity; resisted all the violent efforts of her royal kindred to separate her from her destitute husband, and proved a bright example that, if it is sometimes a misfortune to be born a prince, a woman born a princess may excel in female virtues.

By family marriages, the Bonapartes, or Beauharnois, are allied to the emperors of Russia and Brazil, the kings of Bavaria, Wirtemberg and Sweden, the Queen of Portugal and the Grand Duke of Baden, all royal houses; and remotely, with

that of England. If Napoleon's object in cultivating royal connexions was the support which such alliances might afford his family, in the event of his downfall or death, that object in some measure attained, though through much royal disgust and haughty estrangement, may be regarded as proof of his foresight and providence for his own household, which is not only pardonable, but laudable. But if his object was to establish and strengthen the throne founded by and for himself, a fourth French dynasty, of which he was to be the root, and his family and kinsfolk the branches, nothing was more fatal to that root than those branches. Affectionately fond, as he was, of his family, and they of him, he used them, naturally, as the most trustworthy instruments of his own imperial establishment. In his extreme distress they all, except his sister Caroline, rallied to his relief, if not purely or perfectly disinterested; for what human affection is so?—yet their royalties, together with his own imperial marriage, were the chief causes of his terrible ruin. Seldom has so numerous a family, in private life, with no dispute but for property, and no alienation, but by temper or accident, lived in harmony so long, or, to the last, remained so constantly affectionate. Even Josephine and Maria Louisa, his two wives, under circumstances of unexampled distress, persevered in their attachment to Napoleon, and he to both of them. To his mother, his brothers, one and all, his sisters, his step-children, his son, he was, throughout life, in death, and after it, devoted with admirable and exemplary constancy. Yet never did perversion of family union, and regard to personal by family aggrandizement, lead to catastrophe and wreck of all things, domestic and national, so total, fatal and memorable. Close family alliance with an imperial princess, in ties of golden silk, which seemed irrefragable, was mysteriously broke, even after its prodigious contriver's downfall and death, by his son's mysterious dissolution. The son of imperial hope and pledge of dynastic perpetuity, like the children, and most of the grand-children, of Louis XIV., the son of the Austrian princess and Louis XVI., the first and most promising son of Louis Philippe, to be followed by himself and family, was doomed to introduce calamity in the

family of the monarch, disgrace and dismemberment in the nation of France.

Joseph Bonaparte was Napoleon's most confidential brother and devoted friend; before and after the Consulate, employed in the most important offices of the French government. He negotiated the treaties of Campo Formio and Lunéville with Austria. As an excellent public speaker in the Council of Five Hundred, as well as by the amenity of his manners, and attractions of his hospitality, he was one of Napoleon's effectual vindicators, absent or present, and assistants in November, 1799, when Joseph's judicious support was as valuable as Lucien's more demonstrative energy. Joseph was Napoleon's minister to arrange the concordat with the Pope, in 1800; and, with Rœderer and Fleurieu, concluded the treaty of that year with the American ministers, Ellsworth, Davie, and Murray; by which long-pending complaints, and some hostilities between the United States and France, were closed by a treaty, sanctioning the true principle of freedom of the seas, that free ships make free goods, with just restrictions of blockade, contraband and sea-search. At Morfontaine, his country-seat, where Joseph lived with noble hospitality, frequented by the best company from all parts of Europe, he entertained the American ministers, in October, to celebrate their treaty of the 30th of September, 1800, by an elegant festival, during three days; to which La Fayette and the Duke of La Rochefaucauld Liancourt were requested to bring whatever Americans they chose to invite. Napoleon and the two other Consuls attended; Josephine, with her daughters, Hortensia Beauharnois, Pauline Le Clerc, and Caroline Murat, in the bloom of their youthful beauty; the ministers, and several other members of the government, of the Senate, Council of State, Legislative body, Tribunate, the whole diplomatic corps, and all Frenchmen who had lived in America. All the great events of the American Revolution were represented by emblems and inscriptions, of which La Fayette was desired to suggest the scenes. The Prefect of the Department presenting Napoleon some ancient Roman medals, found near there, he gave them to the American ministers, to take to their country. Affable and conversable with all, he talked politics,

literature, science, tactics, and even music, with the many eminent masters in those arts, and gallantry with a crowd of gay ladies who enlivened the entertainment. La Fayette and Napoleon conversed a great deal together on the most friendly terms. La Fayette's liberation from the Austrian dungeon was a special condition of the treaty of Campo Formio, for which his gratitude was strongly avowed to both Napoleon and Joseph. Morfontaine, embellished by artificial lakes, islands, rocks and plantations, was one of the most delightful country-seats in France. On the first day of the festival a concert was performed by the principal musicians of Paris. Next day there was stag and hare hunting; and in the evening, theatrical performances by the best actors, concluded with fireworks. After the treaty of Lunéville with Austria, Joseph kept open house at Morfontaine the whole summer of 1801. All his three brothers and sisters, the Austrian ambassador Cobentzl, Madame de Stael, then a lover of Joseph and courtier of Napoleon, with her lover Matthieu de Montmorenci, she reading Chateaubriand's *Atala* to the company; Miot, a man of fine literary acquirements; Renaud de St. Jean d'Angely, an eminent orator, both of whom were afterwards at Joseph's residence in New Jersey; Rœderer, one of the negotiators of the American treaty; Rœderer, Miot and Renaud, all three much distinguished as literary notabilities, and much attached to Joseph Bonaparte; the poets Andrieux, Arnaud and Boufflers; Fontanes, an eminent statesman, before mentioned as a lover of Eliza Bonaparte, with his highly accomplished wife; Marmont, who afterwards, as Marshal Duke of Ragusa, was the loose corner-stone precipitating the Emperor's downfall, together with many other of the most remarkable persons of Europe, were guests of Morfontaine, that summer of nearly universal peace and expanding prosperity. For Napoleon's advent was an era of peace, which was his interest, and therefore his ambition. From the 27th of March, 1793, when the Turkish government, which at first could not comprehend what a republic was, acknowledged that of France, till the 27th of March, 1802, when Great Britain concluded the last treaty of peace, but broken amity with the French Republic,

more than twenty treaties, with nearly all the nations of the world, recognized the freedom, the consolidation, and the security of that great commonwealth in the midst of Europe. And Bonaparte might not have been either able or disposed, without British incitement, to construct a throne upon its ruins. Among the recreations of his captivity at St. Helena, there is a full and masterly review of the maritime relations between France and the United States; of the laws of the sea, and their British infringements; and of his treaty with this country, with an account of the negotiations, and celebration of peace at Joseph's residence. Unless more of a double-dealer than reason can be given to explain, Bonaparte was a sincere admirer of Washington, when, as First Consul, he ordered all the standards and flags of the French Republic to be put in mourning, during ten days, for that "great citizen," as he was styled in the order, "a great man, who fought against tyranny, whose name would be always dear to the French people, and to all the freemen of both worlds, especially to all French soldiers, like those of America, combatants for liberty and equality." The French Republic, he forcibly declared at the treaty of Campo Formio, was as clear as the noon-day sun in all its brightness. But haughty Chatham's proud son, to gratify the same stubborn British king and aristocracy, who coerced American colonies to independence, by reiterated wars, immense coalitions, and shedding the blood of the millions, of whose lives La Fayette, and others of Bonaparte's detractors, imputed to him the sacrifice for his aggrandizement, forced the republican chief magistrate to become successively victor, conqueror, emperor, dictator, but still, from the wreck of his democratic despotism, to strike out European reforms.

While Napoleon was meditating and advancing the peaceful development of a great French empire, Joseph was enjoying the present, without ambitious designs for the future, or possible conception that the time would come when, at Point Breeze, he would seek refuge from the brilliant festivities of Morfontaine in his homelier, but not less hearty, hospitality of New Jersey, deploring his inability to soothe Napoleon's imprisonment and cruel death at St. Helena. A charming exist-

ence at Morfontaine, spent in elegant recreation, was to be followed by the dreadful splendors of illegitimate royalty; modern royalty being precarious even by the grace of God, but when raised on the sovereignty of the people a mere mockery of grandeur. In the rational luxury of Morfontaine, Joseph Bonaparte's quiet nature was not only happier, but much more at home than in the rugged royalties dictated to him by Napoleon. From the camps and battles of Sicily and Spain, the effeminate refinements of Naples, the splendid palaces of Madrid and the Escorial, their sudden and short-lived monarch looked back with regret to the pleasures of Morfontaine, and perhaps forward with misgivings, but not so far, as to the seclusion of New Jersey.

Not far from Morfontaine, Lucien Bonaparte, in 1801, then widower, just returned from his successful and lucrative embassy at Madrid, at his country residence, Plessis Chaumont, lived in similar hospitality. His sister Eliza and a Spanish Marchioness of Santa Cruz were the ladies domesticated at that establishment, where poets, dramatists, politicians, painters, and other such agreeable guests, shared the pleasant welcome which Lucien and Eliza extended.

No sooner had Napoleon, by the treaty of Lunéville, made peace with Austria, than he sought it with England by direct application, which the Pitt ministry haughtily and peremptorily rejected; sharpening their refusal by intimating that there was no stable government in France to make peace with, and would not be till the Bourbons were restored to their throne. Whereas, in his two years of chief-magistracy, Bonaparte had made peace with Austria, Prussia, Bavaria, Russia, Turkey, the African Barbary powers, Naples, Spain, Portugal, the United States of America, with all the world except the one only kingdom which persisted in war, and that avowedly against him and republicanism rather than against France. Pitt was at war with republicanism, when the Consular republican government of France had staunched all the wounds of that country; restored the finances; organised public instruction; recalled nearly all the royalists; reinstated religion; began vast plans for territorial improvements, and for ameliorating

the laws by a new Civil code. In every thing, except foreign commerce and manufactures, the French republic was then more flourishing, progressive, and content, than the kingdom of Great Britain. It was hard, if not impossible, where the press and all public discussion is so free and manly as in England, for any ministry to make head against such undeniable reasons for peace with a rival nation. Pitt, Dundas, and Grenville, therefore, gave way. Addington and Hawksbury took their places; after some months of undisclosed dealing, through Otto, the French agent for prisoners in London, preliminaries of pacification were settled; and public negotiations were opened in December, 1801, at Amiens, between Joseph Bonaparte and Washington's prisoner at Yorktown, the Marquess of Cornwallis. Joseph was then a gay young man of thirty-three, but with ten years' experience, legislative and diplomatic, in public affairs; well informed, discreet, conciliatory, and candid. I have never known a man whose word was more reliable; whatever he said was the calm result of conviction, and generally of mature consideration. I have heard him often speak of that negotiation, and of Lord Cornwallis, of whom he had the highest opinion, as a noble specimen of that high-minded English and Spanish rectitude which Joseph deemed more common in Spain than in France. Rufus King, who became acquainted, in England, with Lord Cornwallis, I have also heard, more than once, pronounce his eulogium. The captive in 1781, of Washington and Rochambeau, at Yorktown, was at Amiens, in 1801, a portly, handsome, old English gentleman, nearly seventy years of age, who took his long ride on horseback every day before dinner, and then drank his bottle, or more, of wine with his son, Lord Brome, his son-in-law, Colonel Singleton, and his natural son, Captain Nightingale, who were with him in France. Plain in dress, simple in manners, and true in unaffected conversation, Lord Cornwallis's diplomacy was much superior to the craft of contriving sophistry.

Similar apparent, but less transparent diplomacy, was Franklin's art, when, at the village of Passy, near Paris, he captivated France by simplicity, and enlightened Europe by a

model treaty enunciating the first principles of maritime liberty and international peace, destined to be universal if the American Republic fulfils its mission. Then, at an age still more advanced than that of Cornwallis, sensible of the good policy of good cheer, Franklin likewise delighted in his bottle of wine, and the company, not of his natural son, but the natural son of his natural son, whom I found still living in Paris, with his natural children and their English mother, in 1802.

Anthony Merry, the first English minister at Washington, after the seat of our government was removed from Philadelphia to that then wilderness metropolis, unlike Lord Cornwallis, was a specimen of the pretentious and meddling European ministers often courted in this country; like Merry and Hammond, troublesome representatives of foreign government near ours. Diplomatic formalities, official exactions, and other littlenesses, which Lord Cornwallis despised and occasionally checked in Merry, were his annoying follies at Amiens and at Washington, where they found in President Jefferson, and his Secretaries Madison and Gallatin, well-bred gentlemen, uniting with radical democracy, dignity of deportment, and attraction of social refinements. Jefferson, while he disapproved some of Washington's stately, if not antiquated, official habits as unrepubli- can, conformed his own personal intercourse and household, to the established standards of politeness and refinement, too deeply imbued with essential republicanism to deem vulgarity part of it, any more than fastidious ceremony indispensable to good government. The first British and French ministers he had to treat with, Merry and Turreau, were instances, one of the absurd formality, the other of the coarse brutality which the British and French monarchies have sometimes employed in their foreign missions, rather to foment strife than maintain amity with the American Republic.

As Joseph Bonaparte was on his way from Paris to Amiens, it became a subject of somewhat anxious consideration, how the noble British ambassador should be received, what etiquette was proper to be observed, and what the dignity of the French Republic required in personal intercourse with the representa-

tive of the British crown. Joseph has more than once, with great good humor, dwelt to me on the manner by which Lord Cornwallis exploded those half-conceived apprehensions. Standing at the carriage door as the young Frenchman, without title or parade, was about to get out, armed with lessons of Austrian and Italian propriety on such occasions, the portly old English gentleman gaily took him in his arms, lifted him to the ground, and at once dispelled, for ever, those hindrances of preposterous method, mostly disregarded by the real great, and annoyingly upheld only by the insignificant. Thenceforward the British and French embassies at Amiens, vied with each other, not only in familiar civilities, but in splendid hospitality; dined with each other every other day; and, by the good common-sense of constant kindness and fairness, Lord Cornwallis overcoming Mr. Merry's frequent difficulties, by which Joseph Bonaparte's patience and sagacity were exercised, brought the negotiations to a close satisfactory to both parties.

In the course of them, it was intimated by the English to the French minister, that the First Consul's becoming king of France would give no umbrage to England; so far were the Addington ministry from inheriting Pitt's insistance that a Bourbon on the French throne was necessary to peace with England. After all the terms had been settled, and nothing remained but to sign the treaty, fresh instructions from London directed a modification concerning the amount to be paid for the support of prisoners. But Cornwallis did not hesitate a moment to affix his signature, as agreed upon, without any change. He had given his word, he said, which bound him as a gentleman, and the government he represented, and he would not retract.

If the peace of Amiens had been suffered by England to last three or four years, perhaps Bonaparte would never have been an emperor, almost certainly not the conquering dictator and despot which renewed and repeated hostilities enabled, if not forced him to become. The Bourbons and the English, with their stipendiaries, the Austrians, Russians, and Prussians, who finally dethroned, also first enthroned him. The peace of Amiens was hardly a truce, at any rate a very short suspension

of arms. Pitt, soon restored, superseded Addington, and resumption of hostilities was resolved on, six months after the treaty, in the autumn of 1802, when I witnessed Lord Whitworth, the handsome English ambassador's arrival in November, at Paris, with his large wife, the Duchess of Dorset, sent there not to keep the peace, but put an end to it.

Universal English, and common American impression is that Bonaparte, by rude and undignified provocation, insulted the British ambassador, Lord Whitworth, at a public Consular levee, in presence of other foreign ministers, and thus designedly precipitated hostilities, which he desired, between England and France. The facts, as understood in Paris at the time, were, that England, mortified by the treaty of Amiens and French republican progress, resolved on renewal of war, on which the re-establishment of Tory complete ascendancy depended, with restoration of Pitt as prime minister. In the autumn of 1802, such was, therefore, the settled purpose of the Tories, with the king, George III., at their head. Conspicuous Whigs, Fox, Erskine, and their adherents, Alexander Baring, (afterwards Lord Ashburton,) Lord Henry Petty, (now Marquess of Lansdowne,) and others, whom I met at the American minister's and elsewhere, in Paris, were, if not the only, at any rate the principal English who paid their respects at the Consular court, or much visited France. Bonaparte was well aware of the British government's determination to renew hostilities, and desire of pretexts for the rupture. Peltier's abuse of him in the London French Royal Gazette, the *Ambigu Comique*, countenanced by the English Tories, supported by Charles X. (Count d'Artois), and other Bourbon residents of London, the Addington ministry refused to punish, — however, wisely and lawfully; which impunity the Chief Justice Ellenborough, a member of the privy council, on the trial of Peltier, obviously countenanced. These aggravations sharpened the First Consul's temper and tongue for severity of reproach, who had introduced a plainness of speech, together with directness of diplomacy, instead of the old honied phraseology, in which the bitterest animosities and deadliest designs were usually concealed. The First Consul's language to the British ambassador at that drawing-room was,

therefore, sharp and significant. Cobentzl, the Austrian minister, Luchesini, the Prussian, Azara, the Spanish, Caprara, the papal nuncio, together with ministers of Denmark, Sweden, and Bavaria, and of four of the then five European republics; namely, the Helvetic, Batavian, Cisalpine, Ligurian, and also of the American,—were standing round, to each of whom Bonaparte addressed a few polite words, and to many other eminent personages present. His tone was quick and authoritative, as usual, but full of intelligence, courtesy and grace; wearing the black stock and military boots, not yet discarded, and applying the term *citizen* when he spoke to a Frenchman. “General Massena,” said he to that personage, “cherished child of victory, I dreamt last night that I heard the roar of cannon.” Then accosting the Spanish minister, “Chevalier Azara, tell your master how much we desire your alliance. Not because it is needful to us. No; France fears no power, not even those overseas, who take umbrage at the smallest French brig that ploughs the Mediterranean, and set us at defiance. But here they come, and shall be attended to. Well, Lord Whitworth, what is the meaning of the alarm your cabinet betrays? Is it already tired of peace? Does it want war? Wherefore those declarations in Parliament? Is the king, like the nation, to be deceived? We are threatened in the notion of alarming us. Let them learn that if France can be conquered, it is impossible to alarm her. War is wanted—war—war; so be it, with all its consequences, all its miseries. They shall have it implacably. Ay! Carthage against Rome. I call you all to witness, gentlemen of the foreign missions, that I have not been the first to break peace. But understand, also, that I shall be the last, when it comes to arms, to lay them aside. Lord Whitworth, you have heard what I say: convey it to your monarch. Gentlemen of the foreign missions, good-day.”

That was an uncommon strain from a chief-magistrate to the representative of a foreign power; which the ambassador of Great Britain felt as offensive, and the public sentiment of his country resented as insolent. The diction and demeanor of public functionaries, above all of the highest, should be calm, subdued and forbearing. Still there was no war in Bonaparte's

heightened warning, which, on the contrary, was a premeditated departure from the ordinary tenor of such interviews intended to preserve peace. At that period of his career he had amassed military fame enough for history, and deemed peace his policy—his way even to a throne, if that was his ambition. But England would make war, and help him forward with a momentum that at last overturned him and French royalty altogether.

Although Bonaparte's advance to hereditary power was rapid, obvious, and his monarchical ambition indisputable, yet he alone personally furnished the only English pretext—there was no French national reason why England should renew war with France. If the French nation chose to make Bonaparte their monarch, that was their affair exclusively, with which England had nothing to do. If, indeed, his further elevation contributed, as its first movements had done, to pacify and tranquillize France, England should have been gratified. The French troops assembled in Normandy, it might be suspected, were destined, furtively, to invade England, as before, in 1798, Bonaparte led an army to Egypt, and afterwards, in 1808, to Spain. There were also troops in Flanders, to be sent to take possession of Louisiana, before that province was sold to the United States, as it was at that time. But mere suspicions or apprehensions would not warrant the war which England recommenced. Eventual dethronement of Napoleon, temporary restoration of the Bourbons, and the other long posterior events of 1813, '14, '15, may justify, by success, the English recourse to hostilities in 1803. But Bonaparte, if not blameless as to France, was, at that time, void of offence toward England; and driven beyond the monarchy he aimed at into dictatorial despotism by English aggression in 1803, succeeded by the several coalitions which she organized against him continually till his final overthrow.

The Bourbons constantly intrigued with every successive French republican government for the restoration of what they always called, and thought, *their* throne. They bribed Mirabeau, bought Pichegreu, bought Barras, and, before Bonaparte became Consul, attempted to buy him. Louis XVIII. sent Montgaillard to offer him the viceroyalty of Corsica, a

marshal's staff, and the ribbon of a royal order. Louis then, through the Abbé Montesquieu, who got the third Consul, Le Brun's, permission to approach Bonaparte, proffered whatever places he or his friends desired. Charles X. (Count of Artois) sent the Duchess of Guiche from London, who, through Josephine, always inclining to royalists, proposed to her husband to create him Constable, or whatever else he desired; and to erect, in the Place Vendôme, a high column, with a statue on the top, of Bonaparte crowning Louis XVIII. king. There was something at once ridiculous and ominous in the Bourbons proposing to raise Bonaparte to the dignity of Marshal and Constable, and to erect his statue on a column, crowning them, in the Place Vendôme, where he constructed the column himself, of the cannon captured in his victories, and surmounted by his statue as Emperor. He treated them always with kindness and contempt; answered their overtures that they must not think of returning to France but over a hundred thousand dead bodies, which their restoration would cost, and did many more, without counting the numerous judicial murders after it, that were committed by their government. The Count of Lisle, Louis XVIII., liberal, sensible, and only an intriguer, never encouraged civil war or assassination. But the foolish Count of Artois, Charles X., was the chief of a band of conspirators established in London, there supplied with funds by the British government, with which, by Bonaparte's assassination, as he always said and thought, by his violent death, by civil war, and by any other atrocious means, to reinstate the Bourbon monarchy unreformed, just as it was before the revolution. For twelve years after they emigrated from France, those royal brothers never saw each other; and never agreed, when either together or apart; Charles, the uncompromising royalist, rejecting all Louis' concessions towards reform. On Christmas eve, the 24th of December, 1800, one year after Bonaparte's consular installation, when he had recalled nearly all the emigrants, restored the clergy, pensioned the Duke of Orleans' mother, and, by the whole course of his government, evinced not only a peaceable, wise and temperate, but conciliatory and generous spirit, especially toward the royalists and aristocracy,

a hideous attempt was made by royalists to murder him, with several of his family and friends, while going in his carriage to the opera. The devastations of what were called the infernal machine were still to be seen in Paris, two years afterwards, when I was there, as I stood on a pile of stones gathered from the ruins, to see Bonaparte pass at a review. So strong were his prejudices against the revolutionists, that he insisted the foul deed was done by Jacobins, many of whom he punished unjustly for it; and it was some time before it was ascertained that the infernal machine was the abominable work of those most favored by the new ruler. So great was the disgust of the Emperor Paul of Russia at that ungrateful attempt, that he changed at once his whole policy. From being the protector of the Bourbons, allowing them a considerable support, and the pretender, Louis XVIII., to reside at Mitau, in Courland, while he sent Suwarrow to Italy and France, for Louis' restoration, Paul compelled Louis to leave Russia in the winter, expelled him with severity and indignity from the Russian dominions, at the same time making known his warm admiration and support of Bonaparte. Not long after, Paul was shockingly assassinated, as the French government paper, the *Moniteur*, plainly signified, by English contrivance or connivance, and when it was undeniable that English, perhaps, also, Russian funds, supplied the means for attempting Bonaparte's assassination.

On the 18th of May, 1803, war was declared by England against France, after having been, as has been usual with English hostilities for more than a century, carried on by captures at sea, some time before it was declared. To retaliate that injustice, Bonaparte detained all the English who happened to be in France when England declared war, which, though loudly complained of, was less unjust than the English seizures of property. Hostilities broke out afresh, therefore, with uncommon exasperation. Meneval, who was always at his elbow—did all but sleep with him—says it changed Bonaparte's whole nature. His active and fertile mind had been ruminating pacific improvements, roads, canals, embellishments of Paris and other cities; commerce extended, St. Domingo recolonized;

Louisiana, acquired from Spain, developed by French settlement; East and West India French possessions. The genius which in arms had not shone more than in politics; which, as consul, revived France as soon and as much as it had resuscitated, as general, the demoralized French army of Italy, that vast genius was bent, with its well-nigh superhuman might, to render France, pacifically, the greatest nation. Bonaparte's basis, his reliance, his palpable policy, was peace, conciliation, reform; to administer, without offence, the commonwealth, of which the Revolution had done much, and left him as testamentary executor to do the rest. Notwithstanding the hostilities by which his way was impeded and perplexed; the royal plots (to be presently mentioned) by which his life was continually menaced, and his feelings excited; the Consular administration, though rigid, was not sanguinary, revengeful, partial, spendthrift, or burdensome, as restored royalty proved, on his overthrow. Royalists and nobles, except those abroad in arms against their country, were restored to it; revolutionists protected; civil war extinguished; religion, with its ministers, restored; a system of public education begun; the finances revived from the worst disorder; crime diminished; morals improved; public corruption crushed; property, notwithstanding its difficult and delicate revolutionary mutations, secured; stupendous and admirable territorial improvements were begun. Personal freedom, which in England and this country is every one's enjoyment, the necessity and luxury of all, but which it seems extremely difficult, not only to establish, but even comprehend, in France, was wanting. Yet republican government was founded on perfect equality, with public and impartial justice to all alike. The expenses of government were not half what royalties have made them since; the taxes not near so onerous; the currency was coin. The chief magistrate was the head or creature of no party, but of the nation; unexceptionable in the distribution of vast patronage; absolute but impartial. The law, however rigorous, treated all alike. There were neither favorites nor victims, partialities nor persecutions. Of that vulgar and ruinous enormity of American democratic despotism, abrupt removal of

subordinate incumbents from public employment, because they thought or voted against the transient occupant of temporary power, the French dictator, even in the delirium of his enormous Empire, much less as a republican chief magistrate, hardly ever was guilty. His administration, consular and imperial, always abounded with his well-known opponents; and scarcely ever, without cause, formal complaint, and fair trial, did he displace those notoriously inimical, if otherwise fit. Being Jacobin, royalist, regicide, no matter what, if otherwise meritorious, was no objection to public employment. Personal favor or solicitation was much less effectual than in either England or this country. When liberty was brought to naught, equality flourished as, not only in England, but America, is unknown. No subaltern vexation was suffered, aristocratic or religious intolerance, or party domination. The benefits, reforms and improvements of the Revolution were in fair and full development by Bonaparte when war upon him steeled his nerves, hardened his heart, changed his policy, his system and his nature; forced monarchical ambition, hastened and facilitated its tyrannical consummation and tremendous catastrophe at last.

If British policy and government had been then what it is avowedly and really now, and should always be, that of non-intervention, letting France govern herself as her people chose, Bonaparte might never have become Napoleon. To get rid of a chief magistrate who restored order, law, religion, the finances, power, and universal peace, war was made; not declared, as at last, in 1815, against him personally, but, in 1803, actually because he governed a French republic inoffensively and admirably. If, at that time, Bonaparte had died or resigned, the glories, aggrandizement and downfall of the Empire would not have ensued. But his name would have been pure, bright and clear of calumnious misrepresentation. A moral man, an exemplary citizen; amiable, temperate, chaste, strictly honest and disinterested; famous as a military chieftain and civil administrator; a conservative reformer, not a republican, but a founder of representative government.

The infernal machine was a royalist, if not Bourbon, attempt

on his life early in the Consulate (1800), which, abominating the Jacobins, he charged to them. And from that atrocity, during the whole consular government, till the execution of the Duke d'Enghien, in March, 1804, there were continual conspiracies by Bourbon princes, and their accessories in and from London, with English funds, ministerial and royal countenance, and material reinforcements, to overthrow the French Republic, assassinate its chief-magistrate, and by revolution restore the Bourbon family, claiming the throne by divine title and the kingdom as their family birthright. Napoleon acquitted Louis XVIII. of attempts on his life. Louis, if crafty and selfish, was a man of sense, aware of the impolicy of foul dealing. But Charles X., dissolute when young, devout in old age, always well-mannered and graceful, whom La Fayette used, in this country, to call a coward, was so foolish that he could hardly comprehend the imbecility of his bloody measures. He and George III. were chief architects in the rapid and towering elevation of Bonaparte to the French Empire. They dealt with the Consul in 1803, as the Congress of Vienna did, in 1815, with the Emperor; as an outlaw, the enemy of mankind, whom monarchs were divinely authorised to destroy by all means, no matter what. That a Bourbon on the French throne might be a harmless, perhaps useful British instrument, was Pitt's policy in 1803, and Wellington's in 1815; which, if French prosperity injured British, might be wise British policy. A man of redoubtable talents, ambition, and designs, like Bonaparte, at the head of the French government, was deemed dangerous and alarming. The war declared in 1803 by England was, therefore, as much against him, individually, though not nominally, as it was avowedly in 1815, by the last coalition.

The war of 1803 breaking out with furious exasperation, England was made to feel that she had provoked a terrible enemy. To retaliate her unjust seizures of French property, on board French vessels captured at sea, without notice, before war was declared, Bonaparte had all the English detained as prisoners who were travelling or resident in France: much less unwarrantably than England seized French vessels and kept as prisoners, after our declaration of war, all the American

sailors impressed into her service. In the same spirit of vigorous retaliation of hostility, Bonaparte, without delay, seized Hanover, to the infinite annoyance of the British royal family, holding it as their royal patrimony. And, worse than all, he collected 2400 flat-bottomed boats, with the finest army in the world, at Boulogne, to invade England: so that nearly all her inhabitants, at great cost of time, money, and disquiet, were put in commotion.

War thus begun, in May, 1803, between August of that year and December, 1804, the royal conspirators in London were indefatigable with contrivances and English encouragement to keep Bonaparte busy, or destroy him at home. The Count d'Artois; his son, the Duke of Berry; their kinsman, the Duke of Enghein's father, the Duke of Bourbon; all weak and violent Bourbons, with the princes Polignac, (afterwards so instrumental in Charles X.'s dethronement,) Pichegru, and Dumouriez, disgraced revolutionists, George Cadoudal, and other desperate royalists, without much concealment or the least hesitation, almost boastfully plotted Bonaparte's removal by assassination, to be perpetrated by George Cadoudal, a reckless fellow, engaged, with a gang, for the purpose. Landed clandestinely, from English vessels, on the French coast, fifty of those conspirators made good their way from places of concealment, by night, to Paris, and there they were ascertained by the French police to be, but not known exactly where. Moreau was engaged with them, rejecting assassination and the Bourbon king, but promising to overturn the First Consul and his government. The Count d'Artois, and his son the Duke of Berry, more willing to superintend than risk their lives in such enterprises, did not go to France, though the Duke of Berry is believed to have ventured as far as the coast. The Duke of Bourbon's son, the Duke of Enghein, said to be a bold young soldier, of about thirty-four years of age, stationed himself at the village of Ettenheim, in the territory of the Grand Duke of Baden, a short distance over the Rhine, beyond Strasburg, the French frontier city in that direction. At several out-posts there were English ministers or agents; Drake at Munich, Spencer Smith (brother of the Admiral,) at Stuttgard, Taylor

at Cassel, Wickham at Berne, Humboldt at Hamburg, with confidential instructions and funds to aid the French armed emigrants, hanging on the French borders under English pay, in their endeavor to overcome Bonaparte any how. Pichegru and Moreau, in Paris, were to seduce the soldiery and revolutionize the country. George Cadoudal, with his gang there, were to waylay and murder the Consul. The Polignacs and Rivière, an aid-de-camp of the Count d'Artois, were there to restore the Bourbons; the Duke of Berry to enter France from England; the Duke of Enghein, as was believed, from Germany. The French armed emigrants were ordered, on penalty of forfeiting their English pensions, to remain at their stations, several of them with the Duke of Enghein, at Ettenheim, the rest at other places near the French frontier. Papers seized with the Duke, proved that when warned by his father not to remain so near France, on the crater of a combined explosion of revolution and bloodshed, he refused to leave his post.

A French royalist, one of Bonaparte's ablest and bitterest enemies, whom I cite for that reason, Montgailliard, in his chronological history of France from 1787 to 1818, thus states the Bourbon conspiracy, English agency, design of George Cadoudal, and Pichegru and Moreau's complicity:—

“Pichegru, deported by the faction of September 3, 1797, having escaped from Sinamary, and returned to Europe, joined the Bourbons, who arranged in London a plan of conspiracy adopted by the English government. George Cadoudal, son of a Morbihan miller, one of the most resolute *Owls*, debarking in September, 1803, was in Paris to co-operate in its execution. And Moreau, a weak man who helped to elevate Bonaparte, and had denounced his own commander, Pichegru, rejoined him for the attack on the common enemy.”

Of all this Bonaparte was kept well advised: that fifty or sixty Bourbon agents had left London and were concealed in Paris, who they were, and their errand of revolution and assassination. His aid-de-camp, Savary, had been sent to the coast for intelligence. There was, at that time, no minister of police. It was not a department, as before and since, Bonaparte having reformed and attached it to the judiciary, in order to render it less arbitrary and odious, and more regular. But

the French government had secret agents in England, (of whom, Joseph has told me that, at another period, was one of the Polignacs.) Réal, Count Réal as he was entitled, when, afterwards in exile in this country, privy counsellor, was prefect of police; an intelligent and, I believe, respectable man, who had performed some official function, as Joseph also told me, at the execution of Louis XVI. Through various researches and discoveries, most of the conspiracy was ascertained; and one of George Cadoudal's associates, named Quesnel, induced by promises of pardon extended to him to make confession, betrayed nearly all the rest. Dumouriez was said to be at Ettenheim with the Duke d'Enghein; and a personage treated with such princely homage that it could be nobody but the duke, was often in Paris, closeted with the other conspirators. Both these circumstances proved, eventually, mistakes. A French officer, named Thumery, pronounced in German like Dumouriez, was taken for him. And Pichegru was the personage treated like a prince by the rest of the conspirators.

When the whole affair was discovered, and the hiding-places, Moreau was arrested at his country-seat, Grosbois, the 15th of February, 1804, and Pichegru the 28th of that month. On the 6th of April he was found in his cell strangled. George Cadoudal was executed the 10th of March; and then the only considerable persons accused, not arrested, were the Duke d'Enghein and the supposed Dumouriez.

Concerning the Duke d'Enghein, the First Consul consulted a council consisting of the other two consuls, Talleyrand, secretary of foreign affairs, Regnier, chief judge, and Fouché, a gratuitous pragmatic adviser. Talleyrand and Fouché, one representing the nobility, the other the Jacobinism of revolutionary France, were Bonaparte's two evil genii, from his first entrance upon civil life, in 1799, to his final expulsion from empire and from France, in 1815. Talleyrand then constrained Louis XVIII. on his second restoration to make Fouché his minister of police, and obliged the gloomy Duchess of Angoulême to receive, with a married bishop, a regicide, who voted her father's execution. After some endurance of that shameful and dreadful royal time-serving for a tottering throne, Talley-

rand's method of getting rid of Fouché was to offer him the American mission. "It is a distant, quiet, growing country, much beholden to France, where I passed my exile in safety, as you may," said the noble to the Jacobin; who sought refuge and died at Eliza Bonaparte's (Madame Bacchiocci), in Italy, cursing his transcendental apostacies from republic to empire, Bourbons to Bonapartes, and Bonapartes to Bourbons.

Should the Duke d'Enghein be seized in neutral territory, brought to Paris, tried, and, if found guilty, punished as one of the conspirators against the peace of France and the person of the First Consul, was the doubtful question on which Bonaparte anxiously consulted his counsellors. Fouché urged it vehemently. The air was full of daggers, he said, and those brandishing them were indispensable victims. He would answer for the production of more than proof enough—a trunk full of papers, he said—to justify conviction and punishment. Fouché, an amateur informer and prosecutor, amazingly shrewd, suspicious, dexterous, sinister, serviceable and unprincipled, had no aversion to bloodshed. Talleyrand, a nobleman democratized, a bishop married, a Bonapartist sworn against Bourbon restoration, assured the First Consul that nothing hindered his then approximated coronation so much as a public apprehension that, like Monk, he intended to be so weak as to put the crown on another head than his own. Cambaceres, with judicial scruples, protested against violating neutral territory to seize the prince. It was then more than twelve years since the Bourbon blood-royal had been known in France. The Count of Provence, Louis XVIII., the Duke and Duchess of Angoulême, and the Duke of Orleans, Louis Philippe, had been long living in harmless obscurity. The Count d'Artois, Charles X., his son the Duke of Berry, with the three Condés, the Prince of Condé, his son the Duke of Bourbon, and his son the Duke of Enghein, had been busy, in arms and plots, under English pay, against their country, and "the common enemy," as Bonaparte was designated, whom, having restored peace and prosperity, the nobility and the clergy, in fact the country, nearly altogether admired, eulogized and supported. Ambitious of the throne to which the nation was desirous of

raising him, no tricks of popularity or luxury of circumvention were at all necessary to advance him. Public sentiment, fomented by foreign enemies and Bourbon conspirators, removed every obstacle, facilitated and accelerated his imperial coronation. Large numbers of the French considered monarchy necessary to French security and grandeur; believing individual government more stable and durable than multitudinous; and willing to substitute an elective monarch for one by divine right. The Bourbons and England, by plots, exciting indignation and war, feeding glory with fuel, were the greatest contributors to the design of the greatest of warriors. All people worship heroes. The French, above all, love to be ruled with energy and ostentation. With numberless memorials of congratulation from all parts, rejoicing that the people, as well as their chief magistrate, had escaped repeated attempts at his assassination, came flattering suggestions to Bonaparte that *their* peace and welfare should not be left dependent on *his* life, so incessantly endangered; but that the Consul, transformed to monarch, would put it out of the power of enemies and traitors, by his death, to convulse the country; and, above all, they called for vengeance on the traitors. Punish, they cried, crush, exterminate vile contrivers of atrocious plots. Make the guilty, one and all, feel, by condign punishment, that they are in greater peril than you and us.

Such was the state of things and of public sentiment when the question was brought to judgment, whether a Bourbon prince conspirator should be seized and, if guilty, punished, like any other offender. Born noble himself, and educated by royal Bourbon bounty, Bonaparte was awed by reverence of all, and far above all that, blood royal. Of the Duke of Enghein, he knew nothing personally; and he felt himself strong enough in French attachment, and European respect, to have no fears of Bourbon competition for the throne, of which he was then within a few weeks, a few steps, and a few sentences. But what would nobility, and what would prelacy say, not only in France, but throughout Europe, if he put to death one of the old royal family? Never, in good or evil fortune, did he ill-treat a Bourbon. On the contrary, though Louis XVIII.,

Charles X., and Louis Philippe, on the throne they shared with him, treated him and all his family with perfidious, cruel, jealous, mean and audacious severity, banishment, confiscation, and repeatedly attempted assassination, in no instance did he ever show any fear of, or aversion to, any of them. He pensioned Louis Philippe's mother, the only Bourbon that did not fly their country; spared their possessions, respected their persons, and mitigated their misfortunes. At various periods, several of the continental states would have delivered them up to him, if demanded; nor were miscreants wanting, such as some of those employed to murder him, if he had once thought of that resort toward them. He made a King of Etruria of one insignificant Bourbon. He liberated and kindly sent away another, the Duke of Angoulême, when captured by General Grouchy. Those despicable creatures, the Spanish royal Bourbons, even though kidnapped and confined, he otherwise treated with respectful lenity.

That Bonaparte was enormously ambitious is certain. His detractors say he was selfish, his admirers that he was wise; and he was deeply imbued with reverence for royalty. That reverence, selfishness, wisdom and ambition, all combined to warn him of the extreme danger of putting to death the royal prince, whom his chief counsellors urged him to punish, while the whole country cried aloud for vengeance on the traitors disturbing public tranquillity. Anxious to conciliate, and punish too, he was exercised by perplexing irresolution. The prefect of police, Réal, after searches every where, at last, through Quesnel's confessions, got the clue to all. Moreau, Pichegru, Cadoudal, the Polignacs, and Rivière were discovered and arrested, and the chief of the assassins, Cadoudal, promptly executed. It remained to secure Dumouriez and the Duke d'Enghein, who were considered within reach, and dangerous guilty men. Urged and determined to make an example of the Bourbon prince, Bonaparte gave orders, after careful investigations, for his seizure beyond the French frontier. Captain Charlot and Colonel Ordener were despatched for that purpose with a squadron of dragoons, and General Caulaincourt with an official letter of explanation to the Grand Duke of Baden.

But so disturbed was the First Consul by the embarrassment of his responsibility that he retired from Paris to Malmaison, his country residence, for undisturbed meditation, where none but confidential counsellors were admitted; and Bonaparte, naturally cheerful, talkative and confident, for some days moody, taciturn, and uneasy, betrayed, his detractors say, a blood-thirsty tyrant's remorseless guilt. The Duke d'Enghein's unfortunate execution proved extremely detrimental to him. Whether he designed it, shall be left to the reader's judgment, on the negative testimony of Joseph Bonaparte and Count Réal, respecting the mistake that prevented the pardon which they believed it was Bonaparte's intention to grant the Bourbon prince, after his conviction to be degraded by Bonaparte's mercy. Joseph's account, as I had it from himself, is as follows:

"On the morning of the 20th March, 1804, a message came to me at Morfontaine from my brother, begging me to come in all haste to Malmaison; I set off immediately, without any suspicion what the matter was, in a few hours arriving at Malmaison. Hardly had I got into the second inner courtyard and passed under the kind of tent set up by Fontaine, before I perceived my sister-in-law, Josephine, behind the window, who seemed much excited, and suddenly disappeared after making some unintelligible signs to me. In a moment she crossed the antechamber hastily, approached me, and before I had time to say a word, or ask where the First Consul was, she took me by the arm, and with her whole soul expressed in her affectionate face, 'Well! my dear brother,' she exclaimed, 'you do not know what is going on! The Duke of Enghein has been arrested, and is going to be tried; and it is to talk this over with you that Bonaparte has sent for you. I know how good and kind his nature is, but I fear his advisers. There he is, walking with Talleyrand and talking of this matter. I cannot tell you how much I dread that cursed cripple. I beg of you to try and do away with the bad effect of his advice; but, above all things, do not say that you have seen me, or let them suppose that I have informed you of any thing. Every thing that you say will have much greater effect if he thinks that it comes from you alone. There! they are coming; I must escape!' As she hastily entered into the house, I saw my brother Napoleon and M. de Talleyrand drawing near, They had been for some time talking, and walking backwards and forwards from the bridge to the edge of the wood. Every time that Napoleon came to the bridge, before taking another turn, he asked if I had arrived,—so impatient was he to know what would be my view of the question which engrossed him: for Napoleon loved in me, his elder brother, the companion of his childhood, his friend, and a friend whose honest advice could never to

suspected; and his towering genius liked at times to lean on my diffident, but not timid judgment. As soon as he perceived me, he said, 'We have waited a long time for you, Mons. Morfontaine;' (he often called me by that name to rally me on my taste for rural embellishments.) 'Have you seen no one yet? I saw Josephine impatiently watching for you behind her window. Did not she run after you, and tell you what is happening?' As he said this, he took my arm and left M. de Talleyrand, and we pursued our walk alone. Telling a fib, I did not mention my short interview with Josephine, but professed entire ignorance as to what he had to tell me. Napoleon then informed me that he had had the Duke of Enghein arrested on suspicion of an understanding with General Dumouriez against his government and person; that the Duke of Enghein had arrived at Paris that very day, and he was about to have him tried. There was no harsh expression or bitter feeling in his words. They were rather the sentiments of an austere but impartial judge, than those of a personal enemy, seeking vengeance and rejoiced in having found it. But what I first thought of was my brother pronouncing, as a judge, on the destiny of a Condé; and this brought to my recollection a crowd of associations, of ideas, and ancient recollections so vivid and powerful, even at that moment, that they withdrew me, in spite of myself, from the present to the past, with which the news that had been so abruptly announced to me was in such strong contrast that it quite overcame me.

"After the conquest of Corsica, the French government wishing to make partizans among the principal families of the island, thought, at any rate, to create sympathy for the future, by bringing young Corsicans to France, and educating them in French studies, manners, and ideas. Our family was poor but noble, and my father, Charles Bonaparte, had, as a private person, rendered service to France and the French government, whose administration he facilitated by the family patronage, which he had long exercised among his countrymen, and by his familiar knowledge of the wants of the country. M. de Marbœuf, then Governor of Corsica, in the name of the King of France, had a relation, who was bishop of Autun, holding the portfolio of benefices. He told my father how useful it might be to us thereafter to be placed under the patronage of his relation, especially to me. As my father destined me for the church, the support of the minister of benefices could not fail to get me some profitable living, and furnish me with the means of soon realizing the episcopacy. Napoleon and I, who were the two eldest, were, therefore, sent to the college of Autun, whilst our sister Eliza was placed at another school. I do not know why biographers, who have related, collected, and invented so many things about my brother and every member of the family, have never said a word about this first sojourn of Napoleon and me at the college of Autun. The fact is that I have seen it mentioned nowhere.

"I soon succeeded. Napoleon's nature was more rebellious, particularly about small things of routine; he undertook, readily and willingly, only

what was new, difficult, and considerable. At the end of a few months I understood French tolerably well, whilst he still kept up his rather rude language; I saved him reprimands by doing his exercises and translations for him. In the middle of the classical year we were separated for the first time. Napoleon left me to enter the college of Brienne. He was then destined for the navy, and the military college of Brienne was better suited to his mathematical studies, and to his destination, than the college of Autun. My father had just got for him a fellowship in the college of Brienne, and though it was painful for us to separate, we felt that it was so much the less expense for our family, and consoled each other by promising to write often, which we did not fail to do.

"The end of the classical year came, and the prizes were to be distributed at the college of Autun. I was to have a very good share. I always had a strong literary taste; which taste has accompanied and consoled me everywhere. I was on my own ground, and was to be the favorite laureate. A few days before the distribution of prizes, there was rumored through the college, and all the young heads and the professors' ambition were set in motion by a piece of news, the truth of which was soon confirmed. It was announced to us that the Governor of the Province of Burgundy, the Prince of Condé, who was on his way to Dijon to hold the state of Burgundy, would certainly pass through Autun, where he would stop for a moment, and preside at the distribution of prizes. The professors were even more excited than the pupils. The under governor of the college of Autun was a Mr. Simon, whom I have since got my brother to create bishop of Grenoble, and who was still in his episcopal seat in 1815, which, it may be said in passing, was not perhaps useless to Napoleon, when, at the time of his return from Elba, he wanted to get to Grenoble. Mr. Simon set himself to work to fête the Prince of Condé, and composed on the subject a cantata of sixty verses. The solemn day arrived. I performed my part to admiration, and when we afterwards went to receive the crown which the prince himself placed on our heads, I was the one whom he seemed to have most noticed. The bishop of Autun's friendship for our family, and no doubt, also, the curiosity which a little barbarian recently introduced into the centre of civilization inspired, contributed to attract the Prince's attention. He caressed me, complimented me on my progress, and made particular inquiries as to the intentions of my family with respect to me. The bishop of Autun said I was destined for the church and that he had a living in reserve, which he would bestow on me as soon as the time came. 'And you, my lad,' said the Prince, 'have you your own projects, and have you made up your mind as to what you wish?' 'I wish,' said I, 'to serve the king;' then seeing him disposed to listen favorably to me, I took courage to tell him that it was not at all my wish, as it was that of my family, that I should enter the church, though the interest and kind protection of the bishop of Autun, ought to encourage me, but that my dearest wish was to go into the army. The bishop of Autun would have objected to my project, but the Prince, who was

Colonel-General of the French infantry, saw, with pleasure, these warlike dispositions on my part, and encouraged me to ask for what I wanted. I then declared my desire to enter the artillery, and it was determined that I should. Imagine my joy. I was prouder of the prince's caresses, and rejoiced more in his encouragement, that I have since in the two crowns that I have borne.

"I immediately wrote a long letter to my brother Napoleon, imparting my happiness to him, and relating, in detail, all that had passed; concluding by begging him, out of friendship for me, to give up the navy and devote himself to the artillery, that we might be in the same regiment, and pursue our career side by side. Napoleon immediately acceded to my proposal, abandoned, from that moment, all his naval projects, and replied that his mind was made up to dedicate himself with me to the artillery;—with what success the world has since learned. Thus it was to this visit of the Prince of Condé, and to the kindness extended by him to one of his brothers, that Napoleon owed his resolution of entering on a career which paved the way to all his honors.

"Such was the recollection that presented itself to my mind, when my brother Napoleon, become the leader of the state, communicated to me the news of the arrest of the grandson of the Prince of Condé, and of his determination to have him tried. 'Napoleon,' said I to him, 'do you remember my letter from Autun, about the visit of the Prince of Condé to our college? Do you remember how proud I was to be crowned by him? Do you remember the verses that I learnt by heart? Do you remember the prince's kindness, when I wished to give up my bright ecclesiastical prospects, to enter the artillery? Do you remember how, out of friendship for me, you gave up the navy, in order to enter the same corps? Who would have said, then, that you would be one day called on to pronounce, as a judge, the destiny of a grandson of the Prince of Condé?' At these words I saw Napoleon's countenance change, and a tear start; for my brother Napoleon's nature was good and kind, though he often took as much pains to appear stern as others do to appear gentle. Leaning on my arm, 'What events,' said he, 'and what misfortunes in that family! But who knows whether, out of this arrest, may not spring good for the family, for the country, and for me? for out of it I will find means to show what I really am. I am strong enough not to fear the Bourbons. I am great enough, I think, for them not to suppose that I will degrade myself to the miserable part of Monk. They tell me that the Duke of Enghein is even disposed to anticipate my favorable sentiments by writing to me; but whether he does or not, he shall find in me none but favorable dispositions; a wish to pardon him—not merely the wish, but the will. I, who am here to conciliate, I like to imagine to myself the romance of reconciliation; and I smile at the possibility of extending a friendly hand to the unfortunate Duke of Enghein. You would like, one day, to see a descendant of the great Condé among your brother's aides-de-camp. For my part, I should be delighted, I assure

you; and my heart is filled with good and generous sentiments towards him.'

"Napoleon afterwards told me that he was inclined to clemency, but that was not the advice of his counsellors. Cambacérès was the one most disposed, with him, to be generous; Berthier, to whom he had just spoken, was less well disposed than Cambacérès. A Talleyrand, whom I had found talking with my brother, as two of his brothers, formerly in the suite of the Count d'Artois, were still in the service of the enemy, was particularly anxious to prove the sincerity of his adhesion, and by no means inclined to clemency. 'But,' said Napoleon to me, 'I do not suffer myself to be governed by interested counsels. I can read men's hearts, and am too well acquainted, like you, who were always my classical guide, with our old Corneille, of whom he repeated some lines, to allow myself to be deceived by a false appearance of zeal. I know, too well, that they would, at least, as willingly offer my head to Pompey, if fortune played one of her customary freaks, as they now offer Pompey's head to Cæsar. And then he repeated those verses of Corneille, of which he had always been fond, and regarded as good political advice.

" *Votre zele est faux, si seul il redoutoit
Ce que le monde entier a pleins vœux souhatoit
Et s'il vous a donné ces craintes trop subtiles
Qui m'otent tous le fruit de nos guerres civiles,
Ou l'honneur seul m'engage, et que pour terminer
Je ne veux que celui de vaincre et pardonner,
Ou mes plus dangereux et plus grands adversaires
Sitôt qu'ils sont vaincus ne sont plus que mes freres;
Et mon ambition ne va qu'a les forcer
Ayant dompté leur peine a vivre et m'embracer.
Oh! combien d'allegresse une si triste guerre
Aurait elle laissée dessus toute la terre
Si l'on voyait marcher dessus le meme char
Vainqueurs de leur discorde et Pompée et Cæsar.'*

"Napoleon wanted me to stay and dine at Malmaison, but I told him there were guests at Morfontaine whom I had myself invited, and named them to him. He then desired and authorized me, when I went home, to inform them of the state of mind in which I found and left him, and to study the impression which this news and his good intentions in favor of the Duke of Enghein made on that better part of the public. I returned to Morfontaine in time for dinner. My guests had arrived. At table the conversation turned on the rumors of the day. I mentioned my visit, in the morning, to Malmaison, and the very benevolent frame of mind in which I had found my brother. Madame de Stael, who was alongside of me, showed great joy at what I said of my brother's kind inclinations. But all my guests did not see things in the same light that Madame de Stael did; and it must be

owned that those who belonged to the old nobility were not the most disposed quietly to endure the idea of new troubles, which might bring on regenerated France an enterprise of the Bourbons and of their emigrant and foreign counsellors.

"The next morning, early, I set off for Malmaison, and on my arrival, found my brother in a great passion against Réal and the Jacobins. Réal was one of the four counsellors of state charged with the general police. Paris was under his jurisdiction. On him devolved the duty of interrogating George Cadoudal, Pichegru, and the other persons involved in the last conspiracy. There had been a special commission appointed for the Duke of Enghein's affair. As soon as it had pronounced sentence, it was sent, without delay, as had been prescribed, to Réal, who was to go immediately and take the Consul's orders. The hour of execution had been fixed for six in the morning, and the sentence was to be put into the hands of Réal at two o'clock the night before. There was, therefore, in this interval of four hours, more than the time necessary for Réal to go from his house to Malmaison, and from Malmaison to Vincennes. Two hours, at most, were enough. One of those fatal accidents, which disconcert all human foresight, changed everything. Réal had already been called up three times that night by a clerk, who was always on guard near his bedchamber, and for matters of so little moment, that he found fault with it. The fourth time, when the letter from the commission arrived, the clerk, afraid of another reprimand, instead of wakening Réal, carefully placed the despatch where he would certainly see it. Réal did not awake until six in the morning, immediately perceived the despatch, opened it, read it, dressed himself, and set off, in great haste, for the Consul's orders, not supposing that it was then too late. As he entered Malmaison, he met the colonel of the gendarmerie, Savary, who had been to give an account of the execution of the Duke of Enghein. Napoleon, who was enraged at it, thought that the Jacobins had trifled with him, and that Réal's excuse was fabricated to cover their plan, to throw the whole odium of their measures on the First Consul. That was the cause of his anger and rage against Réal — but the mischief was done.

"Such is Count Réal's own account. He repeated it at Point Breeze, (Joseph Bonaparte's residence,) in the presence of Messrs. James Carrêt, Charles and Henry Lallemand, Mr. Nancrede the elder, Captain Sari, Judge Hopkinson, Felix Lacoste, and the brothers Peugnet, artillery officers, adding that he intended, in the Memoirs he was about to publish, to inform the public of every thing concerning the conspiracy of Georges, Pichegru, and Moreau. Mr. Carrêt is living at Fontaines, near Lyons; Mr. Nancrede at Paris; Mr. Sari, who was a naval officer on board the brig that conveyed the Emperor from Elba to France, is at Paris. Count Réal being dead, it is to be hoped that the Countess Lacuée, his daughter and sole heiress, will, before long, fulfil her father's promise of publishing his Memoirs."

Memoirs of Talleyrand are understood to be in the hands of M. de Bacourt, one of King Louis Philippe's ministers in this country, not to be published till thirty years after Talleyrand's death. Memoirs of Fouché may be published by his sons, to whom, with a large fortune, he is said to have left numerous original letters, and other biographical materials; besides, of course, the duty of explaining their father's conduct, and, if possible, redeeming his memory. When in this country, two of them, well-educated and intelligent gentlemen, who had found refuge with King Bernadotte, in Sweden, from the injustice and violence of Bourbon restoration in France, are believed to have entertained the plan, and to have considered that they had the means, of removing from, certainly at present, an infamous parent the odium resting on his character. And a circumstance long afterwards took place in England which also deserves to be mentioned. Dining with Mr. Rogers, the poet, author of the *Pleasures of Memory*, when the Duke of Hamilton was among the guests, Joseph mentioned his conversation with Napoleon, as herein before stated; adding that Réal's Memoirs, written by him, were left to his daughter, Madame Lacuée, for publication, and would fully explain all the particulars of the Duke d'Enghein's unlucky death. An intelligent gentleman, the Baron Vander Wyer, who married a daughter of Mr. Bates, the American partner of the firm of Baring, Brothers and Co., long Belgian minister in London, who was also present, said to Joseph, "But what if those Memoirs should never see the light?" intimating, as was supposed, Mr. Vander Wyer's knowledge or suspicion that they had been suppressed. During the reigns of Louis XVIII., Charles X., and even Louis Philippe, gross falsifications, both by suppression and fabrication of documents, were a common resort to misrepresent the conduct and character of Napoleon: at whose feet too many monarchs had crouched in adulation, not to render such abuses of history profitable to perpetrators. The only person with Bonaparte all the time, and a man perfectly reliable, his secretary, Meneval, fully narrates all that occurred.

After mentioning Réal's oversleeping himself, Meneval states that Savary, on his way from Vincennes to Malmaison, met Réal hurrying from Paris to Vincennes, and apprized him of the execution. Savary, who was on horseback, rode to Malmaison, where he arrived about eight o'clock in the morning, informed Bonaparte of the execution, and that the Prince had begged to see the First Consul. Without demanding more particulars, of which he was commonly very inquisitive, Bonaparte stopped Savary to ask what had become of Réal, and whether he had not been at Vincennes. Being told not, he paced the room without saying more till Réal arrived; after exchanging a few words with whom, falling again into his reverie, he took his hat and left the room, merely saying, "Very well:" Réal appearing surprised and disconcerted at the Consul's mood; Bonaparte going up stairs to his chamber, and staying there alone some time.

How important Réal's explanation is to fill up this narrative is obvious. What Meneval justly calls a fatal event, occurred without Bonaparte's expectation; injurious to the imperial elevation, then so nigh, on which his heart was set above all things. Familiar with bloodshed in battles, he had never fed the executioner with cold blood. Compassionate, ostentatiously clement, seldom, if ever, in his immense career, had any person condemned to death, personally appealed to Bonaparte's mercy in vain. While general, consul, and emperor, several memorable pardons granted by him strongly confirmed Joseph's impression that his brother's mind was filled with magnanimous contemplation of politic forgiveness for the Duke d'Enghein. Louis XVIII.'s reign reddened the scaffold with blood, urged by Charles X.; whose continual claim to the crown was a series of attempts to remove Bonaparte by assassination, from that of the infernal machine to that which cost the Duke d'Enghein's life; and from that again, to the other arranged in London, against which Fox deemed it his proper function, as English prime minister, officially to warn Napoleon. Charles X.'s dissolute youth suggested an argument from his history for Bonaparte. "What can the king do to me?" haughtily asked that profligate prince, when Maupeou, by Louis XVI.'s order, expostulated with him concerning his enormous debts and scandalous

debaucheries. "What can he do?" replied the minister, "why, Prince, his majesty can *pardon you*." Bonaparte was resolved signally to crush the conspiracy, and punish its actors; but after the execution of Cadoudal, and other assassins, to pardon more eminent personages. The Polignacs and Rivière accordingly were pardoned. Réal was sent by Bonaparte to Pichegru's dungeon, to offer him pardon on generous terms. Napoleon's first imperial act was to pardon Moreau, almost in defiance of his rejection of it. And his design was to make an example of the Bourbon prince by clemency, not a victim by impolitic execution. All the orders given by Bonaparte himself for immediate trial, and other steps apparently tending to fatal results, were to strike terror and subdue the prisoner. But Réal was to interpose with hopes of mercy, on condition that the convict submitted to save his life by what, within a few years, scarce a prince or monarch in Europe did not readily submit to—Napoleon's ascendancy. Among the precious memorials for history, lost in the confusion of his downfall, was a package of papers, of which Joseph had charge on the Emperor's first abdication, before kept in the imperial archives, and called the "Sovereign's Letters." One of them, as I have often heard Joseph say, was a letter from the Emperor Alexander to the Emperor Napoleon, among other adulatory phrases writing, "When you go to war again, I desire to learn the art by serving as your aid-de-camp." Would the Duke of Enghein have refused that position, in exchange for his life?

It is easy to make a hero and a victim of this prince, compared with such dolts as the Dukes of Angoulême and Berry; princes so weak and worthless as his father, the Duke of Bourbon, and his cousin, the Count d'Artois. A prince who had, at any rate, spent some years in camps and was bred something of a soldier, appears to great advantage. The precipitation of his death was shocking; its mischance, with Réal's negligence, a strong appeal to universal sympathy. Very little of the poetry with which Lamartine and other such romance-writers embellish their narratives, is necessary to recommend to pity what at best is extremely offensive to humanity. The castle ditch, in which he was shot, of a raw, cold March morning, drizzling

rain, a cruel joke by some officer at the prisoner's alarm, a mistress in anguish not far off, (without which French pictures are never complete,) but above, and far above, all aggravations, the precious princely blood that flowed that fatal night, touched rocks gushing with commiseration and execration before Napoleon's overthrow, and which, after that event, poured forth cataracts of condemnation.

Just when Cadoudal's blood was smoking from his execution, Moreau, Pichegru, the Polignacs, Rivière, and other considerable personages imprisoned, and all proved guilty, the Duke of Berry expected to land from England, the whole plot of revolution and assassination frustrated, the other Bourbon prince expected to enter France from Germany, with Dumouriez his instigator, as was believed, was secured on the night between the 15th and 16th of March, and rapidly conveyed to Paris, then all in a ferment, crying for vengeance on such malefactors — all of them, without distinction. A court martial was ordered to assemble instantly at the suburban castle of Vincennes, to try a prisoner charged with bearing arms in English service against the French Republic, and with plots against the public tranquillity. The orders for the court martial proceeded directly from Bonaparte to General Murat, Governor of Paris, to whom they were taken by Colonel Savary. But no officer was selected or personally designated for the court; none of them knew who the prisoner was they were to try till they assembled at Vincennes, nor was even then apprized of the particulars of the conspiracy before stated. All they knew was that they were to try a prisoner, who they were told, when assembled, was the Duke d'Enghein; but of whom they had heard no more than the general report public, that one or more of the Bourbon princes were involved in plots for revolution and assassination, which roused the whole country against them. Put on trial according to the summary and secret methods of court martial, the Prince, denying all part in any plan of assassination, not only confessed, but rather vauntingly, that he had borne arms against the French Republic; and also that he had been several times in Strasburg, though he denied that it was for any treasonable purpose. His guilt thus established,

and that guilt high treason, a special law of the Republic rendering it capital for a French emigrant to return to France, and the general law against treason, by bearing arms against its government, both violated, by the prisoner's confession, the court martial had no option but to find him guilty, and sentence him to death.

After answering the interrogatories and at signing the record, the prisoner deploring his predicament, entreated to be allowed to speak with the First Consul; which request the judge-advocate desired him to write at the foot of the answers which he signed. He did so, earnestly requesting "a private audience with the First Consul, which my name, my rank, my mode of thinking, and the horror of my situation induce me to hope will not be refused." Nor would it have been if his prayer had reached the First Consul, who had taken measures for the desired audience; when what could have been the suppliant Prince's object but to entreat mercy, which Bonaparte was anxious to extend on terms that would hardly have been rejected? But so unquestionable was his guilt, so plain the duty of the court, so common, and mostly so fruitless and irksome, are such appeals between sentence and execution, that but a single one of the court martial countenanced the request, and it was at once rejected. R  al not being there to interpose in that supreme crisis, as Bonaparte had intended and arranged, the sentence was put in force with the prompt, stern, and shocking infliction of military despatch, by shooting the guilty Prince, before daylight, in the castle ditch. When apprised of that result by Savary and R  al, evidently disconcerted, Bonaparte, finding that his plan had been defeated, and that there was an end of the matter, said nothing but the "very well," which malediction readily makes to mean guilty approbation, but which might mean approval or acquiescence, or no more than that all being over it was useless to dwell on the matter; and ever after he disdained to excuse or extenuate a blow which his proud spirit insisted on his right to strike, having been provoked to it, and being fully justified by incessant and inhuman attempts of the Bourbons to assassinate him, and convulse France.

Some French histories and biographies aver that Murat

shrunk from the murder, as malediction terms it, declaring that the facings of his regimentals should not be soiled with blood; that he remonstrated with his brother-in-law against the execution, and was sharply chid by Bonaparte for such weakness. If so, and I am not authorised by any better information to deny it, the servility of that protest is betokened by both the circumstance and the statement. If the Duke d'Enghein was guilty, (and he was not to be punished unless found guilty,) why should not Murat, or any other officer, assist at his trial and execution? Was innocence or royal blood the prisoner's sanctification? Did the plebeian Murat shrink from such bloodshed as more heinous than plebeian? And do French historians abet that discrimination? European history, biography, philosophy and prejudice teem with doctrine on that subject which falls not without great influence upon even this transatlantic country of traditions, institutions, and manhood diametrically opposite, but which should render our humanity more independent.

An anonymous work, of considerable weight in Germany, entitled "*Memoirs taken from the Papers of a Statesman, concerning the secret Motives of the Cabinet in the War of the Revolution,*" assigns as the real cause of the illegal seizure and hasty execution of the Duke of Enghein, that, provoked by the abuse of the Bourbons from the French official Gazette, that high-spirited young Prince challenged Bonaparte to meet him on some neutral ground, and there, in single combat, settle the controversy. His second on the occasion was to be Gustavus Adolphus, the legitimate but eccentric king of Sweden, who was dethroned to make room for Bernadotte; by whom (the king), the circumstance was afterwards made known. Gustavus Adolphus was remarkable for implacable hatred of Bonaparte; but, according to the accounts most current of that bastard descendant of Gustavus Vasa, his mind was hardly sane enough to allow us to credit his assertions.

Still, the vast social influence of royalty and aristocracy on public opinion diffused reprobation of the execution of a prince of royal blood as an unpardonable crime; and branded its alleged author as guilty of iniquity infinitely more heinous than ordinary homicide. By that last act of his consulate, Bona-

parte, affronting caste, roused malediction more formidable than the five coalitions of which he overthrew four. When his first imperial ambassadors, Savary and Caulaincourt, repaired to St. Petersburg, the Russian nobility refused to receive them, as stained with the Duke d'Enghein's blood. The Emperor Alexander, probably privy to the brutal assassination of his father, (one of the sons of whose chief murderer, Count Pahlen, was the first Russian minister to the United States just before the war of 1812), Alexander himself,—so liberal in his politics that Madame de Stael says the old nobility of Europe denied his right to their society,—shrunk from Napoleon's ambassadors, shunned by the Russian nobility. The Prussian war manifesto of the 9th October, 1805, denounced the Duke d'Enghein's death as a crime which, though Germany had not avenged, it would never forgive. English denunciation was not behindhand of an offence, perhaps, as fatal to Bonaparte as the seizure of Spain, his divorce, and invasion of Russia, closing his consular republic, and beginning his imperial dynasty with an infirmity, which he described as the great monarchical misfortune of not being born his own grandfather.

Some French have supposed that if Murat, with his magnificent valor, had been allowed by Napoleon, as Murat solicited, to command the French cavalry at Waterloo, it might have changed the fortune of that day. I have heard Moreau, more than once, loudly affirm that he made Murat's fortune by disgracing him for cowardice: that at some battle where Moreau commanded, he sent Murat, then an inferior officer, to the rear for want of courage, and afterwards home; where, being a handsome young man, he captivated Bonaparte's youngest sister, Caroline, who married and raised him to grand dukedoms and a kingdom. The catastrophe of Murat's brilliant career of romantic courage was a cruel execution, by order of the Bourbon King of Naples, infinitely more barbarous than that of the Duke d'Enghein, from which Murat, it is said, recoiled more than from his own. Fox, who warned Bonaparte of an attempt to assassinate him, truly said, in Parliament, that "the whole history of the nineteenth century is little more than an account of the wars and calamities arising from the restless ambition, the

intrigues, and the perfidy of the house of Bourbon." But the Bourbons, like the Guelphs, had the charm of birth. The Count d'Artois and the Prince of Wales, afterwards Charles X. and George IV., when two of the most debauched profligates of Europe, were saluted, respectively, as the first gentlemen of France and of England. The first time I heard Moreau pronounce Murat a coward, was in presence, among many others, of two of the near kinsmen of Penn, the founder of Pennsylvania, a commonwealth already more considerable than several European kingdoms. But the family of Penn are said to prize alliance with some insignificant earldom more than descent from the founder of a commonwealth. If the new-made King Joachim dreaded the disgrace of official participation in the execution of a prince royal, scarce any but vulgar sympathy, without historical consolation, solaces his own more unmerited and shocking execution to appease the kindred of that prince royal.

When Peltiér was acquitted, in defiance of First Consul Bonaparte's efforts to convict him of libels provoking his assassination, I was in London; where the French Bourbon princes and their abettors, almost without concealment, by divine right, urged that atrocity. At the same time I was hard by there, when Colonel Despard, with several others convicted of treason, were executed according to the terrific English method of that punishment; the same member of the king's privy-council, Chief Justice Ellenborough, presiding at both those prosecutions. The proof of Despard's treason was slight; that of Engheim's unquestionable. The proof of Peltiér's offence was in half the printshop windows of London, while England rang with congratulations for his acquittal. Not a sigh, scarce a sympathy, followed Colonel Despard's mangled corpse to the grave, while myriads of bosoms soon swelled with indignation at the death of the Duke d'Engheim.

Two of the Bourbon princes who then, in London, plotted Bonaparte's assassination, were themselves assassinated—the Duke of Berry and the Duke of Bourbon. The Duke of Berry was father of the present legitimate claimant, by divine right, of the French throne, Henry V., whose strumpet

mother was hunted out of France into Italy, like some noxious animal, by King Louis Philippe, where Bonaparte's imperial strumpet wife closed her disgusting reign. Whether the Duke of Enghein's father, the Duke of Bourbon, died by assassination or suicide, could not be ascertained when he was found hanged. But King Louis Philippe was accused of causing his death from lust of property, his son, the Duke of Aumale, being enriched by it, as Bonaparte was accused of the Duke of Enghein's death from lust of empire. Caste deplored the murdered royal dukes, and excused the impure royal princesses, but condemned the upstart's justice.

A universal genius, with fierce and fiery soul, just and elevated mind, volcanic imagination, good, tender, generous and beneficent heart, stoic courage for war's horrors, refined and elegant talents for all the arts of peace, exemplary domestic affections, and prodigious knowledge of men, science, and all things; transformed, by circumstances, from Bonaparte to Napoleon; by imperial, supplanted republican nomenclature and regimen; by enormous renown, pure, bright, and true glory; and, from the fatal epoch of the Duke d'Enghein's justifiable but unfortunate execution, raised the vast empire, which, after ten years' inordinate augmentation, fell with tremendous casualty, leaving the world to become either Cossack or republican, Asiatic or American. To transatlantic independence it belongs to help posterity to understand the real character of that dictator, rescued from European, both exasperated denigration and awe-struck adulation. American language and influence will dictate philosophy and history among the posterities.

CHAPTER IV.

FRENCH REPUBLICAN EMPIRE.

1804—1815—1844.

The Consul Bonaparte elected Emperor Napoleon — Reformed Royalty of the Empire — Universal Suffrage — Banishment and Death of Moreau — Empire distinguished, by Joseph, from Kingdom — Republican France — Battle of Austerlitz and Peace of Presburg — Marriages and Coronations of the Bonapartes — Thrones refused by Lucien, Louis, Eugene, and Charlotte — Accepted by Joseph and Jerome — Detriment of Bonaparte Family to Napoleon Dynasty — Unprivileged Aristocracy — Treaty of Presburg — Divorce of Josephine — Espousal of Maria Louisa — Seizure of Spain — Inducements — Bourbons — Spanish War — Its Atrocities and Results — Emancipation of all Spanish America — Invasion of Russia — Napoleon's Reverses — Fatal Tyranny — Deserted by his Creatures, and afraid of the People — Maria Louisa and her Child's flight from Paris — Captured at Blois — Napoleon's Abdication — Death of Josephine — Sebastiani — Pozzo di Borgo — Napoleon's Return from Elba — Public Sentiment — His dread of the People — Their love of Him — Second Abdication — Banishment — Surrender — Transportation — Confinement — Death — Sovereigns' Letters — Joseph in America — La Fayette — Duke of Reichstadt — Joseph in England — His Death in Italy — Representative Government.

REGRETTING, as lovers of liberty must, that the Consulate was superseded by the Empire, we may inquire whether that change was inevitable; Bonaparte's power enabling him to do as he willed with France. Could he have prevented war? Did he welcome it as the way to Empire? A French republic, the vast resources of France developed by the vast genius of such a republican ruler, not for hostilities, but peaceable establishment, must, in the ten years of Napoleon's imperial reign, have had much greater effects than its wars on Europe; might have realized Henry IV.'s benevolent idea of confederation of all the European states in one great commonwealth, and counteracted English maritime supremacy more effectually than the continental system. And what might not have been its American results; with Louisiana a French colony, instead of annexed to these United States?

He continued to live as usual, without any change in his mode of life, or precaution for his personal security, though, by royalist and English animosity, misrepresented as wearing concealed armour, shunning personal exposure, and otherwise betraying the guilty apprehensions of a tyrant. He had no special animosity against the Duke d'Enghein, of whom he had hardly ever heard. In the fermentation of passions excited by Bourbon efforts to change the government by murdering the chief magistrate, and convulsing the country, a chain of unlucky mistakes led to the death of the Bourbon prince, guilty of high treason by his own confession, and all France exasperated, was indignant at the plots in which, with his family, he was implicated. According to American ideas of treason and of individuality, such a suffering prince was no martyr. Nor did his execution make any great sensation in France at the time. After his overthrow sanctioned every misrepresentation, the fallen Emperor, on the burning rock of St. Helena, expiring by slow tortures, proudly averring that he had never committed crimes, disdained all extenuation for a homicide, which he justified by his right as a man to vindicate his life from assassins, his duty and right as a magistrate to punish all their abettors without distinction. If his mind was turned to pardon, he would not condescend to mention that, or plead mistake, for an act which he deemed perfectly justifiable.

In the rapid succession of great events which followed English and Bourbon plots against him, his creation as Emperor of the French took place in less than two months after the execution of the Duke d'Enghein. In May, 1804, more than three millions and a half of affirmative against less than twenty-six hundred negative votes, all taken by universal suffrage, ratified, by title and dynastic perpetuity, the power of the chief who for some time had been otherwise supreme; aspiring and endeavoring to be crowned; and eventually won to the pageantry, frivolity, and, in American appreciation, the follies of regal illusion. Still, his imperial, like his consular accession, was not merely usurped by forcing opportunity. To maintain a French Republic in the midst of surrounding European monarchies, was difficult for France in time of peace, and alarming

to her crowned neighbors. If Lord Cornwallis spoke by instruction, England, in 1801, had no insuperable objection to Bonaparte as a monarch, though preferring the less enterprising and redoubtable Bourbons. But by their plots, and English hostilities, Bonaparte's life had become the pledge of French tranquillity and prosperity. War unavoidably increased executive power, reducing other authority; and when it became almost a mere question whether the weak, emigrant, vagabond, conspiring Bourbons, or the invincible victor in so many mighty battles, from Montenotte to Marengo, should defend France against them and their English belligerent supporters, state necessity seemed obvious and urgent that the hero, actually promoted to the head of the French nation, should, by more than transitory title and authority, be enabled to provide that the French Republic took no harm.

Necessity of state and individual heroism rule nations. Joseph Bonaparte explains, presently in this chapter, how and why Napoleon defended transforming the French Republic into a monarchy; still, like the Roman Empire, called republic, (and why not?) constructed on the revolutionary reforms of ruined royalty. Sovereignty of the people, equality of all men, toleration of all religions, armies and navies raised by conscription, universal blockade and invasion of England, to retaliate English unprovoked aggression by war, and by invasion to exterminate the French Republic, were among the radical republican convulsions which, from 1789 to 1799, roused the ever-restless, warlike, and ambitious French to the heroic phrenzy preceding Bonaparte, which Bonaparte endeavored to appease, and to which perhaps, if left alone, France in peace might have succeeded.

Inheriting and tranquillizing those commotions, Bonaparte, child and champion of democracy, was not the only creature of state necessity, but proud and haughty divine right, so called, also succumbed to like heroic ascendancy. Since war provoked him to cast into the scales elective or popularised sovereignty, it has become almost as common as that called legitimate. The successor of Napoleon's greatest conqueror, who never held back when even Wellington and Blucher hesitated, the Empe-

ror Alexander's successor, Nicholas, has for nearly a quarter of a century ruled Russia, not as next, but supplanting the lawful heir, and chosen to the throne. The Austrian Empire is in like manner provided with the present emperor; and Spain with a queen, contrary to Spanish legitimacy. Are these usurper monarchs? The revulsion which elected Dutch William in place of Scotch James dethroned in England, generally deemed more traditionary than revolutionary, was more of an usurpation than that by which Bonaparte became emperor, whose accession was not more illegitimate than that of the present reigning family of Austria, beginning with Rodolph of Hapsburg. And to come nearer home, if Washington had been captured and sacrificed, would not America, prolific of so much European contestation of divine regal right, be consigned by European history to infamy, for rebellion begun by a mob of traitors? Since his enormous despotism and terrific overthrow, Bonaparte is easily condemned as usurper. But as either election or succession, his elevation not unexceptionable, was less turbulent or corrupt than many an election to the British parliament, or sometimes the American presidency. Elective chief magistracy insinuated its opposition to divine regal right from the time when Massillon preached before Louis XIV., that kings represent nations, inculcated by other royalists, till one of them, Americanised La Fayette, chose a middle-man, Duke of Orleans, to be king, with republican institutions, and expelled the absolute, inflexible monarch, insisting, by grace of God, to be Charles X.

During a hundred years the Orleans family had been separating itself from the Bourbons by affecting, perhaps sincerely cherishing liberal sentiments. When Montesquieu, Voltaire, and Rousseau, promulgated novel and reformatory doctrines, they found patrons in Dukes of Orleans. The unfortunate head of that family, with whom Marie Antoinette quarrelled, nicknamed Philip Equality, who voted for the execution of his relation, Louis XVI., did but follow the footsteps of his forefathers. His son, King Louis Philippe, with his five sons, all, father and sons, educated in free principles, were born and bred harbingers of popular sovereignty. For more than a cen-

tury after the regency of the celebrated Duke of Orleans, France was prepared for the great changes in government, which in the last seventy years, by frequent, sudden and sanguinary revolutions, have uprooted ancient aristocracy and royalty.

Prince Polignac, pardoned as one of the conspirators sent by the Count d'Artois from London, taken with George Cadoudal and condemned in Paris, afterwards one of the Bourbon ambassadors in London, and the prime minister at Charles X.'s downfall by the revolution of 1830, which placed Louis Philippe on the throne, was, as I have understood from high authority, at one time employed in England as a secret agent of the Emperor Napoleon there. Most of the old nobility solicited service under the Emperor and his monarchised brothers and sisters: most of the new, whom he made marshals and princes, and loaded with wealth, titles and honors, deserted him in his utmost need: humiliating degradation, altogether, and human nature, noble and ignoble.

Moreau's banishment to, and long residence in this country, render his part of the plots for which Pichegru, Enghein, and Cadoudal suffered death, and by which Bonaparte was helped and hurried to the throne, almost an American story; as Moreau's departure from America, in 1813, to join the English coalition against Napoleon, becomes strictly a portion of this historical sketch. Not guilty of conspiracy with the Bourbons to assassinate Bonaparte, or of the design to restore the Bourbon king, Moreau was found guilty of conspiracy to overthrow the consular government and substitute himself as chief magistrate of France; dictator, he said; for he, too, after performing the humblest function to overthrow the directory, and elevate Bonaparte, like him, would not condescend to play the part of General Monk, to make a king, but aspired to be Dictator. Brave, indolent, sociable, upright and popular, Moreau, second in military renown and favor to Bonaparte, was without his ambition, imagination, or activity. Pichegru, under whom he served, and who appreciated his incapacity for all but military eminence, when Moreau drew back from the conspiracy to restore the ancient monarchy, contemptuously said, "that

animal! he too wants to reign, without sense enough to govern France for two months." Moreau's domestic conscience, as wives and mothers are sometimes called, Madame Moreau and her mother, Madame Hulot, of the Isle of France, were as restless, intriguing, and grasping, as he was supine and content with common, if not sensual enjoyments. As a rival republican, Moreau took offence at Bonaparte's monarchical tendencies. His wife's mother complained that Madame Bonaparte kept her waiting, when Madame Hulot called at the Tuilleries, angrily declaring that she had no notion of dancing attendance on the First Consul's wife, who was no more than her equal, as Moreau and Bonaparte were but rival generals. Influenced by his wife and her mother, Moreau ceased to visit Bonaparte, and, for a year before his arrest, declined all the Consul's invitations and civilities; spoke disparagingly of his measures, and ridiculed the attempts which Bonaparte declared were continually made to destroy him. In that temper Moreau became, in 1803, what the Duke of Orleans was in 1830, the focus of discontent with the government, round whom there were enough of dissatisfied republicans and conspiring royalists to rally, as there were Bonapartists, with some few republicans, to rally round the Duke of Orleans.

Condemned to two years' imprisonment, Moreau, like the Polignacs, Revière, and others, was pardoned by the new Emperor, as one of the earliest acts of his imperial policy, but on condition of banishment. Taken, by his own request, to the Spanish frontier, the victor of Hohenlinden closed his French career by declaring to the officer in whose custody he was, that, if there should be war, and the Emperor wanted him, he had only to let him know, and "I give you my word of honor that I will return faster than I go."

Moreau's reception in America, where he at first fixed himself in Philadelphia, afterwards at Robert Morris's former residence, Morrisville, on the Delaware, near Trenton, and finally in the city of New York, was flattering everywhere. The public welcomed him as one of the greatest generals of the age. The bar entertained him as bred to their profession before he turned soldier. The numerous adversaries of Napoleon

hailed him as an eminent republican escaped from a tyrant. Many of both parties in this country, including all the admirers of England, together with not a few of those, like Jefferson, accused of French influence, felt and expressed great repugnance at Bonaparte's aggrandizement, which, during Moreau's American exile, seemed to become permanent, more and more growing and formidable. Royal attempts to assassinate him, from England, ceasing with Pitt's ministry (except the last one, against which Premier Fox warned Napoleon), the Bourbon clandestine agency in Paris, of which Royer Collard, Hyde de Nieuville and others were members, ceased to encourage hopes of restoration. Moreau, condemned almost to American naturalization, was finally, after eight years' irksome exile, seduced, by his wife and the Emperor of Russia, into the service of the last coalition against Napoleon. She accompanied her husband to America. Hyde de Nieuville, one of the most consistent and faithful adherents of the royal cause, withdrew to America, and lived retired near Brunswick, New Jersey — the same respectable gentleman who was King Louis XVIII.'s minister at Washington, in 1818. Moreau, through de Nieuville's instrumentality, was at last prevailed upon, by Madame Moreau, to take up arms, in Russian uniform, against Napoleon.

Fauche Borel, another Bourbon agent, as early as 1807, persuaded the Emperor Alexander that Moreau would readily join an effort at counter-revolution in France; and accordingly the general was sounded on the subject. Declining Russian service, he said he had no objection to serve against France. In conversation with Gouverneur Morris, on the 10th of November, 1807, after expressing his aversion to too much power in a republic, and to all absolute government, Moreau answered the objection that, in taking service in the United States, he might have to fight against France, saying, "France, by unjustly proscribing me, has cast me from her bosom; and having become a citizen of the place where I live, I have a right, in that quality, to fight against her, the same as you all have." With that sentiment a mercurial, Creole wife, much more anxious than her husband to change quiet republican America

for gay, imperial Europe, finally succeeded in seducing Moreau to throw away all scruples, put on the Russian uniform, and draw his sword against the Emperor, whom he confounded with his country. The wife who thus beguiled him was a good-looking woman, much younger than her husband, with whom he acquired the considerable dowry they lived upon. Accomplished in music, dancing, and other such attractions, soon, with female facility, learning to speak English, while her husband was several years in this country before he could speak a word; and losing, as I believe they did, several children here, it was natural that she should pine for the enjoyments of a fitter theatre for her talents, where her unambitious husband, become a mere sportsman and idle convivialist, shooting, fishing, and feasting being his chief resources, had sunk into oblivion and obscurity. A restless female instigator succeeded in rousing him, by describing the object of their aversion, elevated upon a throne, surrounded by many more, married to an Emperor's daughter, and, by successive successful evolutions, continually raised higher and higher to that giddy and perilous pinnacle where the danger of downfall is most imminent.

Napoleon, constant in all his attachments, domestic, amicable and political, seldom changed his ministers. And never warring with circumstances, which caused his being called a fatalist, he accepted and retained Talleyrand as Secretary of Foreign Affairs, having found him in that place on his advent to the consulate. There Talleyrand remained, throughout the consulate and empire, till detected in treachery; when his dismissal was arranged munificently, and with the least possible offence. To him succeeded Champagny, who was followed by Maret, and in 1812, Daru, a friend of Moreau. For, as Napoleon was constant in his attachments, so he preferred talents, probity and good sense in a minister, to servility or professed adhesion. Daru, well known as a friend of Moreau, disapproving his punishment, and desiring his restoration to France, was not, on that account, objectionable to the Emperor as secretary. During the fatal six weeks Napoleon lost at Moscow, Daru informed him that he had received a confidential letter

from Madame Moreau, soliciting the secretary's intercession with the Emperor to permit her to visit France, in order to transact some pressing private business. The Emperor, aware of her restless, enterprising nature, refused permission. Next year, when Moreau's arrival at the allied head-quarters was announced, Napoleon reminded Daru of his request refused at the Kremlin the year before. Bernadotte also had been enlisted against Napoleon. The adroit and judicious Emperor Alexander intimated to the ambitious French crown-prince of Sweden that, peradventure, he might supersede Napoleon as Emperor of the French. Moreau, superadded by the Emperor Alexander's management, perhaps flattered himself that he too had a chance, in 1813, of becoming French chief magistrate, as in 1804 he attempted, by some new form of government. The Russian and general hope of Napoleon's enemies was that two generals so distinguished by talents and services as Bernadotte and Moreau, and so much beloved by French soldiery, might not be without influence in detaching the army from Napoleon, or at any rate in dividing the military attachment with him. In all these arrangements, and thenceforward, the Emperor Alexander was a great contriver and greatest actor. His invitation to Moreau, presented through Hyde de Neuville, was a letter remarkable for the delicacy and refinement which distinguished that gentlemanly monarch, whom Napoleon called a handsome young man, cunning as a Greek of the lower empire; as grasping of territory as Napoleon himself; but who, in all the leading part he took in Napoleon's overthrow, exhibited admirable kindness of method, with sternest execution. "Aware of your sentiments," said his letter to Moreau, "and proposing to draw you near me, it gives me pleasure to assure you, formally, that my only aim is to render your lot as satisfactory as circumstances will permit, without, in any case, exposing you to put your conduct in opposition to your principles;" thus treating the French republican general's patriotism and politics with the nicest tenderness, when seducing him to put on Russian livery, to fight against the country to which his farewell was, "If wanted, at any time, for war, the Emperor has only to let

me know, and I will instantly return." Bernadotte's sarcastic salute to his French comrade in arms against France was, "Take care; the French will never know the victor of Hohenlinden in Russian regimentals." The last time I saw him, just before he sailed under Russian escort, he was giving advice how to discipline our army, by mixing old soldiers with recruits. He died, it is said, smoking a segar, with a stoicism of which neither Napoleon nor Nelson was capable. Some years afterwards, the present queen-dowager of Sweden, Desirée Clary, Bernadotte's widow, informed a gentleman from whom I have it, that Madame Moreau had told the queen how wrong it was for Joseph Bonaparte to stay so long in this half-civilized country, which the Creole widow of Moreau held in strong distaste.

I have already contradicted the common English and American misapprehension, that Bonaparte, by force and fraud, usurped the empire. The famous pamphlet, published in 1800, entitled, "Parallel between Cæsar, Cromwell and Bonaparte," ascribed to Lucien, and said to be written with a view of promoting Napoleon's coronation, was the work of Fontanes, an eloquent royalist, just returned from emigration; and so far from acceptable to Napoleon, that it caused a difference between him and Lucien, which was not healed for some time. Weary of violent changes, anxious for repose, and used to find it more under individual control than multitudinous, great numbers of the French desired Bonaparte for dynastic ruler. Foreign monarchs in amity, foreign war with England, incessant plots, interior tranquillity, the spirit of the nation combined to favor his ambition. And that soared above mere personal aggrandizement; to put himself on the basis of popular sovereignty, instead of the discredited royal family, and as testamentary executor of the revolution, found a great republican empire. Excess and overthrow render it easy to deny his sincerity, and denounce his design. But some of the greatest acts of tyranny commonly imputed to him, as enormities of his imperial despotism, were republican measures. Conscription, continental system, invasion of England, destruction by fire of captured English merchandize, were all concep-

tions of the republicans who began the French Revolution, and laid the foundations of Napoleon's Empire; subdued and exterminated feudal aristocracy and ecclesiastical intolerance. Fourteen cardinals, in the basilisk of St. Peter's cathedral, at Rome, joined in a *Te Deum*, chaunted for the downfall of the Pope, and restoration of the Roman Republic, to embrace all Italy. Two Popes, Pius VII. and Pius IX., have been so liberal as to be almost republican. Inflexibly conservative as Bonaparte was, detesting the Jacobins and dreading licentious democracy, he was sincerely bent on the great reforms of state and church, which, by republicans, are deemed essential to free government. His misfortunes resulted from what he would excuse as temporary departure from the principles which he avowed as the best. Far from any occasion for fraud and violence, all he had to do was to moderate vehement popular tendency and impatience to call him Emperor, when felt as master; to which, except by a few republicans, La Fayette and Carnot pleading American, which were deemed impracticable institutions for France, there was no opposition within, and which everything from abroad favored. Universal suffrage chose him. Neither as Consul nor Emperor had he any need to deal surreptitiously with that new and mighty element of public favor. Public functionaries, prefects of departments, electoral colleges, inhabitants of towns, peasantry—all rallied to his promotion. Those who deny that it was the will of the people are driven to the assumption that the mass are incapable of judgment. We have seen latterly, and wonderfully, the whole French nation again and again rally to the name of Bonaparte as their nearly unanimous and enthusiastic preference. Neither Consulate nor Empire was usurpation, but reformation, however eventually abused; on both occasions by the will of the people. There was no need of seduction, intimidation, force, or fraud. National instinct and common sense indicated Napoleon as the best protector of every one's dearest rights, their property, religion, peace, honor and advancement; as the man best disposed, and no monarch so able, to restore and preserve justice, order, equality, and even liberty. Popularity

immense, and almost immaculate, made him Consul and Emperor. Masses of people, with no motive but their own good, and most of them no selfish bias to mislead their instinct, never, by universal suffrage, reject the favorite who approaches them.

How soon Bonaparte aspired to empire, when he began to dream of a crown, we do not exactly know ; but, according to his brother Joseph's testimony, it was always Napoleon's opinion that France required a monarch. A succession of victories, which at first must have surprised him as they did all others, gave him to understand that he was a conqueror ; and his ambition, blooming in Italy, might then have rested satisfied with military fame, had not conquests rendered him a founder — enemies, conspirators, and other accidents, an enormous ruler. When, in consequence of his first victories, Joseph made the treaty of Lunéville with Austria, in February, 1801, confirming that of Campo Formio, there were, in Europe, five established republics, recognized by all nations—the French, Batavian, Helvetic, Ligurian and Cisalpine ; and so little jealousy or apprehension had Bonaparte of the Bourbon royal family, that he seemed to take pride in creating Louis of Bourbon Prince of Parma, King of Etruria ; so proclaimed king on the 21st of March, 1801, and indebted for his crown to Bonaparte. Of his brother Napoleon's early predilection for monarchy, Joseph Bonaparte has thus testified, and vindicated his ascent to the French throne. "His proclamations to the army of Italy sufficiently announced," says Joseph, "that, if Bonaparte arrived at power, he would establish a government that would not be a republic. On the 18th Brumaire, the event was consummated. From that epoch dates the Napoleon monarchy, at first elective for a term of years, then for life, and finally hereditary ; modifications necessarily undergone. Moreau and Georges' conspiracy determined the declaration of inheritance. Consul for a time, a stroke of state policy might put him down ; for life, it could be done by an assassin. He took inheritance as a buckler. The agitation then would not be to kill him — it would be necessary to overthrow the state. There is the truth. The nature of things

tended to inheritance—it was forced.” More than any other person in constant confidential communion with Napoleon; in continual correspondence when separated; more familiar than any other with his plans, thoughts and motives, that acknowledgment by Joseph, published to the world, is the highest evidence of Napoleon’s uniform monarchical, but liberal and representative tendency.

Monarchy, as designed by him, was what he deemed royalty reformed. I have, in my possession, a manuscript copy of what is entitled, “Project of Constitution of the Empire, dictated by the Emperor at St. Helena, the 10th of March, 1820;” of which the caption called General Disposition is, “The French Nation is constituted in a *democratic* monarchy, under the denomination of the French Empire.” A legislature of two houses; peers, hereditary or for life, appointed by the Emperor; representatives elected by the people for five years, every tax-payer having the right to vote; perfect equality, considerable liberty, a free press, religious toleration, and other liberal institutions are articles of this constitution. Something like the English government, but with a vast advance beyond it in the right of suffrage, was the constitution which Napoleon deemed best then, as there is every reason to believe, however dictatorial and despotic he became. The Neapolitan government, as reformed by Joseph and Murat; the Spanish, as settled by Joseph; the Dutch, as established by Louis; the Tuscan, as Eliza arranged it; the Westphalian, as dictated by Napoleon himself to Jerome, were all in the same liberal spirit, and the latter with extensive published instructions by Napoleon, when at the pinnacle of power. When Louis Philippe succeeded to the French throne, with monarchy meliorated by republican institutions, as La Fayette proposed, the English constitution was immediately reformed by considerable extension of the right of suffrage. And those who consider universal suffrage a right which government cannot, by right, withhold from those who, in any way, contribute to its support, will appreciate France in that great reform. France, for the last half century, the foremost nation, far in advance of England, and as prodigal of this, the greatest, if not the wisest

and justest liberty, as any of the freest of the American republican states. Such might have been the French Empire, if, unmolested by foreign aggressions, reiterating belligerent coalitions, royal conspiracies, and other provocations to at least temporary postponement of the kind of government Napoleon preferred, he had been suffered to exercise, in peace, the prodigious activity of his mind, and indefatigable body, in the development of free institutions, territorial improvements, and industrial advantages; instead of being many years challenged to war, and provoked to despotism, every year augmenting his power and indurating its force. Joseph's vindication of Napoleon's monarchy thus distinguished it from the Bourbon royalty.

"The French monarchy had feudal rights, an exclusive and privileged nobility, venality of offices, official substitutions, parliaments, convents, proprietary clergy, confusion of the state treasure with that of the prince. Did Napoleon establish all that? He consecrated the liberty of individuals and of property, accessibility to all employments, political and civil equality of rights and taxes, freedom of worship, juries, civic acts of state, salaried ministers of worship, distinctions without privileges, separation of the public funds, and accountability. The Legion of Honor preceded the Empire; but the decorations, instead of being spread over special and exclusive classes, were extended to all kinds of service, to all kinds of talents. There was a monarch, but he was emperor, not king. It was neither hazard nor caprice, nor puerile vanity, that led to taking one of those titles rather than the other. The imperial constitutional monarchy was a monarchy because there was a monarch, but it was quite another thing from the royal French monarchy."

The great result and residuum of all the trials of the French Revolution, from 1789 to 1849, have been reforms of government, however denominated, and by whomever ruled. Louis XVI. and Napoleon began and ended their supremacy by approximations to free institutions. Louis XVIII., bidding for the throne, offered to forego many royal privileges which Charles X. was instantaneously dethroned for attempting to

restore. Louis Philippe, constrained to begin by renouncing still more, was banished for endeavoring to check the onward course of freedom to a republic, which all those five monarchs of France, Louis XVI., Napoleon, Louis XVIII., Charles X., and Louis Philippe, were, perhaps unconscious but providential instruments, to found and perpetuate, by universal suffrage, on the sovereignty of the people. Perfect equality, great distribution of property, considerable local authority instead of entire centralization, religious toleration, many of the rights of freemen, were already French enjoyments and predilections, when Bonaparte was as much constrained as disposed to substitute reformed monarchy for abolished royalty. At his installation, in 1799, the government was republican in its legislative and executive branches. The Council of Ancients, and that of Five Hundred, contained large numbers of men pledged, by revolutionary acts, to republican establishments. Many in authority, throughout the country, and in the army, were republicans, who regarded, with suspicion, the recall of so many royalist emigrants, and disliked the concordat with the Pope, because it reinstated the clergy. Some, with La Fayette and Carnot, opposed the First Consul's obvious advance to hereditary authority, which it would have been difficult, if not impracticable, probably, for him to compass without foreign wars, royal conspiracies, and other such stimulations of the aristocratic instinct of mankind. Without personal liberty, the French were, to many purposes, republican freemen, and might have maintained Bonaparte as their republican chief magistrate.

During sixty consecutive years, monarchy and republicanism, vibrating by reactions, contested France, stimulating reforms in England and other countries of Europe; while, at the same time, the stability of self-government, and security of property in America, influenced many European nations to adopt representative institutions. Contrary to Joseph's apology, however, vanity, not only Napoleon's own, but French national vanity, actuated him in transforming President Bonaparte into Emperor Napoleon. What will posterity say of me, was his incessant thought: ambition his ruling and absorbing passion. If

merely selfish, his renown would have been greater without the dynasty to which he sacrificed himself and his family. A citizen, dying in peace, with universal benedictions, would have been more famous than the warrior, crowned and crushed as the enemy of mankind. The error of his inordinate ambition was a struggle to prolong power instead of perpetuate fame. His monarchy was of no use to himself, nor his dynasty to his family. The imperial despotism of Napoleon will for ever tarnish General and President Bonaparte's character. Still, comparison between him and Washington is altogether false, because no comparison can be made between French and Americans. Washington might have been as ambitious as Bonaparte, to no purpose, in a country where a king would shock the traditions and instincts of nearly all the people. Republicanism in France was as strange as monarchy here. A French Washington would be as great an incongruity as an American Bonaparte. Man-worship is American as well as French: but not man as a monarch. In France, it is hard to suppose that man can be great, unless monarch. Washington, less vain, more moderate, and truer than Bonaparte, if disposed to be king, could never have reconciled the American people to become his subjects. Bonaparte's probably sincere conviction that a monarch is indispensable for France, was also the judgment of a large portion of the best-informed Frenchmen. Not only education, but traditional freedom, enabled Americans to prize their own sovereignty; while French popular instincts, however tending to equality and even liberty, had not been educated to self-government. After sixty experimental years, there and here, monarchy is impossible here, and republicanism, if possible, still problematical there. It seems to American republicans, and to British freemen, that Napoleon's error and overthrow proceeded from his attempting a dynasty with insufficient liberty; by which mistake two of his royal successors, Charles X. and Louis Philippe, also fell. Whether American republicanism or British freedom, in form, can ever peaceably prevail in France, their substance appears to be the only safeguard against commotion: either popular sovereignty, by universal suffrage, or frequent revolution, the alternatives.

Representative government is the impulse of the age. Monarchs may remain, perhaps ; but, surrounded by numerous participants in authority, in what form administered by the respective governors, may yet be for decision. But great reforms, proclaimed by British, American, and French revolutions, are accomplished, from which mankind will not go back to mediæval institutions. Bonaparte, whether willing or otherwise, was among the great reformers ; and fell, striving in vain to reconcile government as it will be with royalty as it had been.

Still, contrary to the flood of malediction which overwhelmed him when his despotism broke down and ruin followed, was his dictatorship, as he excused tyranny, merely selfish ? Most of France and of Europe either encouraged or provoked it ; and Talleyrand, representing French aristocracy, and Fouché French democracy, also chief architects of his downfall. Sièyes, Cambacères, La Fayette, Carnot, far-sighted and honest opponents of the coronation, were, except La Fayette, equally honest, resolute, and clear-sighted opponents of his final abdication, after fifteen years of false-glorious reign. Like the delusive capture of Moscow, which Bernadotte predicted at the moment of that immense triumph, was the first step of Napoleon's still mightier reverses—imperial coronation began the road to ruin. Not long after that imposing event, Napoleon's genius for war achieved the admirable victory of Austerlitz, which his genius for eloquence embellished by the felicitous despatch or bulletin descriptive of the battle of the three emperors. His conquered and humbled future father-in-law, seeking the conqueror in his tent, by the treaty of Presburg, on the 26th December, 1805, surrendered territorial conquests, which to most of Italy superadded much of Germany, to inflame the upstart emperor's feverish lust of aggrandizement. Pitt, poorly consoled, not comforted, by the victory of Trafalgar, expired under those terrible discomfitures of his system. Fox followed him to the grave before he could persuade either Napoleon or England to make peace. Napoleon's ninth campaign, in two months crushing the third coalition raised by England against him, the Emperor of the French was emboldened to aspire, by the flatterers who surrounded

and the success that tempted him to surpass all modern monarchs, including the Emperor Charles the Fifth, with his thirty diadems, European, American, African, and Asiatic, and, as Emperor of the West, to become the modern Charlemagne; the Napoleonian to surpass the Carlovingian dynasty.

Then began that system of family marriages with royal houses, and coronations of nearly all the Bonaparte family, which brought odium and perdition on Napoleon's frustrated dynasty, closing with the disastrous catastrophe of his own repudiation of a childless good old wife, like himself representing the sovereignty of the French people, to marry a foreign princess, in vain to gild popular by patristic legitimacy. In every one of those marriages, from that of Eugene Beauharnois, which was the first, to Napoleon's, which was the last, the Emperor violated laws, affections, and prejudices stronger than laws or contracts. Out of his conquests by the campaign of Austerlitz, surrendered at the treaty of Presburg, constructing kingdoms for the Electors of Bavaria and Wurtemberg, making them kings, and increasing the territories of the Grand Duke of Baden, the conqueror Emperor of the French married his wife Josephine's son, Eugene Beauharnois, to the new-made king of Bavaria's daughter Augusta; for that purpose breaking her engagement to marry the heir of the Grand Duke of Baden. To that heir Napoleon married his wife Josephine's cousin, Stephania Beauharnois, now dowager Grand Duchess of Baden, in spite of his engagement to the princess of Bavaria, the reigning Grand Duchess of Baden's invincible repugnance to degrade her blood-royal by marriage with the vulgar blood of heroic Bonapartes and Beauharnois, who, by that marriage of Stephania, became nearly allied, not only to the reigning house of Baden, but to the Emperor Alexander of Russia, the King of Bavaria, and the legitimate king of Sweden, three reigning sovereigns, all married to daughters of the Grand Duchess of Baden, who therefore detested, despised and dreaded Bonaparte. Dissolving his brother Jerome's marriage with his American wife, Elizabeth Patterson, after they had a son, Napoleon compelled Jerome to marry Catharine, the daughter of the new King of Wurtemberg. By that time Ger-

man royalty and aristocracy was burning with scarcely smothered detestation of the alleged murderer of a Bourbon royal prince, Duke of Enghein, and aggravated German inveterate prejudices of caste. Yet state necessity not only subjugated hosts of humiliated princes and nobles, but the Beauharnois marriages with the Bavarian and Baden families proved felicitous, and the Bonaparte marriage with the Wurtemberg princess outlived her royal family's aversion.

Family coronations hastily followed royal marriages. One of the most foolish and contemptible of the Bourbon kings, Ferdinand of Naples, his odious wife ruled by the beautiful harlot Lady Hamilton, with her glorious paramour, Lord Nelson, Duke of Bronté, by English and Russian instigation, absurdly forfeited the Neapolitan throne, by provoking Napoleon to expel them from it. Joseph had already declined that of Lombardy, when proffered by Napoleon, who was uncertain whether Joseph would accept that of Naples, which was next offered. Joseph had been a major in the army, when appointed by Napoleon colonel of the fourth regiment of infantry, stationed with the troops at Boulougne, preparatory to the contemplated invasion of England. From that command he rose to be a brigadier-general, and, as the Emperor's lieutenant, entered the city of Naples, the 15th February, 1806, with 40,000 French troops, headed by Massena, St. Cyr, and Regnier; and, on the 30th March, was proclaimed King of the Two Sicilies. On the 15th of March, 1806, Murat was proclaimed Grand Duke of Berg and Cleves, who succeeded Joseph as King of Naples in 1808, when he was transferred by Napoleon to the kingdom of Spain. On the 5th June, 1806, Louis Bonaparte was proclaimed King of Holland. In August, 1807, Jerome Bonaparte was made King of Westphalia. Eugene Beauharnois was already Viceroy of Italy, Eliza Bonaparte Grand Duchess of Tuscany, and Pauline Duchess of Guastalla. To the seven monarchs in his family, Napoleon tried to add another, in the person of his step-son, Eugene Beauharnois, who would have been King of Sweden, but for his objection, and his wife's, to that transfer from the Viceroyalty of Italy. When the overture from Sweden was

made to France, in 1810, for a king, instead of the lawful but eccentric and troublesome monarch of that kingdom, Bernadotte, the brother-in-law of Joseph, got himself nominated, and when Eugene declined it, through Napoleon's assistance, was selected for that place. Napoleon and Bernadotte had so often and angrily quarrelled, that the Emperor said he would rather have a better Frenchman on the Swedish throne, and therefore proffered it to his step-son. But his wife did not choose to change her religion, nor Eugene to exchange Italy for Sweden, and Bernadotte was thereupon taken as the substitute. Had Napoleon's wishes prevailed, Eugene, as King of Sweden, and Lucien, as King of Portugal, would have been superadded to the other crowd of kings, extending from the extreme south to the extreme north of Europe, governing many of the finest countries. It was also Napoleon's wish to endow his mother with a principality, by creating her Princess of Corsica, which was prevented by her preference for domesticity with her children, residence at either Paris or Rome, and the moderation of her desires, not her son's, the Emperor.

These monstrous mistakes of unscrupulous ambition were not altogether without feeling. Napoleon's heart misled his head in the selection of his brothers, instead of other instruments. Both Louis the Fourteenth as well as Louis Philippe furnished, the former an example, the latter an imitation, in their more successful attempts on the Spanish throne, where the descendants of Louis the Fourteenth's grandson yet reign, and the son of Louis Philippe is closely allied by marriage. But while Spain and Naples, as well as Westphalia, were all benefited by Bonaparte kings, great detriment to Napoleon resulted from his inordinate aggrandizement, in unsuccessfully placing brothers on those thrones. Nothing but success can justify or excuse such ambition. And, except Jerome, every one of Napoleon's three other brothers revolted, Lucien and Louis forcibly, Joseph by strong remonstrances, against the Emperor. Brotherhood required and authorized declarations and acts of independence which other agents, in their stead, need not and probably would not have resorted to. Lucien Bonaparte was inflexibly opposed to

any crown. When he married his second wife, the widow Joubenthou, as before-mentioned, in defiance of Napoleon's resistance to that marriage, the brothers quarrelled, separated, and lived apart for several years. Lucien retired to Rome, where he was welcomed and favoured by Pope Pius the Seventh, who, as Bishop of Imola, had avowed sentiments almost as democratic as those of Lucien. In 1807, when Napoleon was at Venice, Joseph, then King of Naples, on a visit to the Emperor, always conciliating, obtained the Emperor's consent to a private interview, requested by Lucien, in a letter from Modena to Joseph. At night, the Emperor's secretary, Meneval, conducted Lucien from the inn, where he was incognito, by private ways, to the Emperor's cabinet. They were together till near midnight, when Lucien left the apartment, his eyes red with tears shed in angry controversy between the two equally unyielding brothers. Napoleon warmly urged Lucien to renounce his wife, for whom splendid provision should be made, and return to France, whence Napoleon would place him on the throne of Portugal. Lucien peremptorily and passionately refused a throne, on condition that he should renounce the wife by whom he then had several children. With deep emotion, and eyes inflamed with tears, as he left the Emperor's room, Lucien said to Meneval, that nothing should induce him to sacrifice his family, or forego his independence, and that he then left his brother Napoleon, probably, for ever. The Emperor, still hoping to prevail on Lucien to marry a princess, and mount a throne, charged both Talleyrand and Fouché to endeavour to induce him to consent. But so indignantly averse was Lucien, that, when Napoleon intimated that the handsome widow Lucien married was not as virtuous as she was handsome, Lucien is said to have fiercely retorted, "And, pray, how virtuous was the widow you married?"

At that angry midnight interview, Napoleon, however, got Lucien's consent to allow his daughter Charlotte to be married to the Prince of Asturias, then soliciting a wife of the Bonaparte family. Charlotte was accordingly taken from Italy to Paris, preparatory to her marriage with Ferdinand

VII., but finally declined the royal match, returned to her father, and married the Italian prince Gabrielli. Pope Pius the Seventh created Lucien's estate, called Canino, near Rome, a principality, where Lucien remained, estranged from Napoleon, and speaking contemptuously of his imperial follies, as he called them. When the Emperor repudiated Josephine, to marry another wife, alarmed by that extreme transaction, Lucien fled from the possibility of being himself forcibly married to some princess. With the Emperor's permission, which he solicited, Lucien sought an asylum in America, where alone he would be safe from the possibility of his being forced to mount a throne. On the 5th August, 1810, embarking with his family for this country, he was driven by a storm on the coast of Cagliari, where the King of Sardinia was too fearful of Napoleon's displeasure to let his disobedient fugitive brother even land. Putting to sea again, Lucien's vessel was taken by an English cruiser to Malta; whence, after some months' detention, he was conveyed to England. Landed at Plymouth, the 18th December, 1810, he was suffered, as a prisoner at large, to establish himself at Tomgrave, near Ludlow, where he spent the four last years of Napoleon's empire, in literary retirement. In April, 1814, the treaty of Paris set him free, when he returned to Rome, welcomed as usual by the Pope. While in England, he completed his poem called Charlemagne, an epic in twenty-four books, of which I have a copy, presented by Joseph.

Louis Bonaparte's aversion to the throne which Napoleon compelled him to mount was as marked as Lucien's. His brother, by whom he was brought up, compelled him to marry Hortensia Beauharnois, when Louis's affection was avowed for her cousin Lapagerie. Four years after that event, which Louis never ceased to deplore as worse than any mis-alliance, giving rise to continual alienation between him and his brother's step-daughter, and suspicions of her amours with other men, Louis was commanded by the Emperor to assume the royal sceptre of Holland, changed from a republic to a kingdom, for the better enforcement of Napoleon's continental system, by which, un-

able to reach England on land, or to cope with her at sea, he was to conquer the sea ashore. Louis, professing his antipathy to that subserviency, to all wars as barbarous, and to his pleasing wife as odious, was nevertheless proclaimed King of Holland, the 5th June, 1806, with undisguised insubordination to his imperial brother's mandate; on the 15th of that month and year, took possession of his royal palace at the Hague, and soon after lost the elder of his two sons, who died of the croup, heir-presumptive to the Napoleon throne. By patriotic, conscientious, and wise performance of his duties as King of Holland, reducing the taxes, economizing the expenses, developing the commerce, mitigating the penal code, and other improvements, Louis rendered himself welcome to his Dutch subjects. But by extending their commerce, which interfered with the continental system, he offended the Emperor; who, after several fruitless complaints, sent for King Louis to Paris, personally reproached his disobedience, and threatened to occupy Holland with French troops, in order to enforce the exclusion of English commerce and manufactures. Louis's reply was, that, as soon as the first French soldier set foot in Holland, he would have the dikes cut, inundate the country, drown the French invaders, abdicate the crown, and leave the kingdom. Soldiers, under Oudinot, and M. Serrurier, afterwards French minister in this country, being sent to Holland, as imperial chargé d'affaires to execute Napoleon's orders, on the 1st of July, 1810, King Louis abdicated the throne in favour of his oldest son, retired into Austrian territory, and afterwards to Gratz, in Styria, where he remained, under the assumed title of Count of St. Leu, living, like Lucien, in literary seclusion, till Napoleon's disasters in Russia, when Louis tendered his services to the Emperor, in any way in which, with his dilapidated health, they could be rendered useful.

Louis, most of his life a valetudinarian, mortified and chagrined by marriage with a handsome, accomplished, and attractive woman, and still more by his deportation to a throne, sickly, proud, querulous, honest, humane, conscientious, and uncompromising, brought up by his brother Napo-

leon, who assumed over him parental authority, to which Louis reluctantly submitted, always restive under his imperious brother's yoke, solitary and devotional, sought consolation in literary pursuits. While a youth with Napoleon, in Egypt, his letters, some of which were captured and published, were remarkable for their benevolent spirit. At Gratz, after his abdication, he published a novel called *Maria*, descriptive of Dutch manners, and of his relish for the plain, frugal, manly character of the Hollanders; also, a *Memoir on Versification*, and an *Essay on that subject*; an opera called *Ruth*; and a tragedy, *Lucretia*, in blank verse. Afterwards, at Florence, in 1828, he published another collection of poems. But his best-known work is a *Vindication of Napoleon from the aspersions of Walter Scott*; in which Louis deploras the fame of all conquerors. With extreme but sincere horror of their renown, he declares, that he cannot conceive how reasonable beings can employ their short-lived existence, instead of loving and helping each other, and passing through life as gently as possible, only in mutual destruction, as though inexorable time did not perform that task fast enough. In another of his publications, Louis declares that fulfilment of duty was the invariable rule of his conduct; striving to harm none; sacrificing his happiness, tranquillity, and reputation, to that primary motive of man's being. In sour, unhealthy independence, escaping from a throne and charming wife, Louis Bonaparte spent the residue of his peculiar life in literature and devotion. Yet, notwithstanding his aversion to and desertion of the Dutch throne, he claimed it as his son's right, when, in 1814, the French were finally expelled from Holland, and the Dutch people offered the crown to their former stadtholder, the Prince of Orange. Louis protested against King William's coronation, insisting that by his (Louis's) abdication in favor of his son, the crown was lawfully that son's, by better right than William's, given by the people; a pretension apparently inconsistent with Louis's whole life, and all Bonaparte assertion of popular sovereignty.

The self-willed *stuff*, which Napoleon called his sister Caroline's independent spirit, he found an obstacle to his plans in

nearly all his family; in his mother, his sister Pauline—in his brothers Lucien and Louis emphatically. Joseph refused the kingdom of Lombardy, reluctantly accepted that of Spain, frequently and sharply remonstrated with Napoleon against his interference there, and strove to govern as King of Spain, not as Viceroy of the French Emperor. Fraternal discord between the French Emperor and Dutch King is curious proof of the mixture of affection with ambition in Napoleon's aggrandizement; suffering his heart to lead his head in the selection of vassal kings. Alarming all mankind by the enormity of his empire, he fondly but unwisely stationed at its outposts those who, to be respected by their subjects, felt, and were not afraid to show, independence of their imperial constituent, and preference for their own dominions. A Dutch king for Holland, or a French king, provided that he was not a Bonaparte, might have been the Emperor's willing viceroy, subservient, anxious to obey his commands, and merit his approbation. A brother's palpable policy was to convince his subjects that their monarch was their patriotic chief, not another distant monarch's obsequious instrument. Napoleon must have found any deputies more subordinate than the brothers he chose for his occasional kingdoms. When apprised of Louis' flight from Holland, the Emperor shed tears of passionate disappointment. "Think," he exclaimed, "of the brother whom I educated out of my lieutenant's slender pay, with whom I shared my mattress, disobeying and deserting me!" Channing, Emerson, and other mere American echoes of British often absurd misapprehension, denounce as selfishness what was but natural weakness, in the great dictator, who loved power of all things, but loved his family too.

Louis, an ardent lover of peace, conscientiously bound by his coronation oath to serve Holland, flattered himself that he could make terms with England; and sent Labouchere, a respectable Dutch merchant, to London on that errand, with the Emperor Napoleon's consent, who made repeated efforts and overtures for peace, which England always rejected. Annexation of Holland to France was the result. The Dutch national deputies being consulted, declared that it was better for Hol-

land to form part of France, if constrained to support the continental system, than to remain an independent nation deprived of maritime commerce. The Emperor Napoleon's official letter to his brother, King Louis, on that occasion, is one of the most remarkable specimens of family affection, imperial logic, and national policy. "Your majesty, mounting the Dutch throne, forgot that you are French, strained all the springs of your reason, and tortured the delicacy of your conscience, to persuade yourself that you are Dutch. Dutch, well disposed to the French, have been neglected or persecuted; those favorable to England promoted. Your majesty has misconceived my character, my kindness and forbearance towards yourself. I insist on the interdiction of all commerce and communication with England, a fleet, an army, and abolition of all privileges of nobility contrary to the constitution which I drew myself for Holland. Your majesty will find a brother in me, if you are a Frenchman. But if you forget community of country, you must not take it amiss that I forget ties of nature. Annexation of Holland to France is best for France and Holland, and most injurious to England."—The continental system, so called, ascribed by most English and Americans to Napoleon, was not his device, but part of the powerful republican policy which he inherited from the revolution; obvious and natural continental counter-action of British insulated commercial and manufacturing aggrandizement; which convinced the Emperor of Russia, on his visit to England, in 1814, that, if thoroughly enforced, it must have compelled Great Britain to make peace; and whose revival, since Napoleon's overthrow, demonstrates its republican and imperial wisdom. Louis Bonaparte's honest and invincible maintenance of the interests of his Dutch subjects, provoking the annexation of Holland to the French Empire, is commonly set down as one of the unjustifiable acts of Napoleon's boundless rapacity. My argument is less his justification than his description. The policy of the continental system I have but cursorily touched, merely to explain it, more to describe its supposed, but who was not its real author. For its effectual enforcement Holland was indispensable. It was, in Napoleon's management, like our indefinite embargo devised by President

Jefferson, a weapon, not for war, but to prevent or put a stop to its sufferings, by peace. In the resilient absorption of Holland by France, the parts performed by Louis and Napoleon Bonaparte, grossly misrepresented and much misunderstood, have been dwelt upon in this sketch, however, as characteristic, not political rectifications.

Jerome's American marriage was said to be the cause of his exclusion from succession to the empire founded by Napoleon. As before mentioned, Pope Pius VII. refusing to sanction Jerome's divorce from Miss Patterson, the Emperor, by what many of his confidential advisers deemed sovereign authority, dissolved his brother's marriage. George the Third's dissolving, by that said to be royal privilege, the marriage of his youngest son, the Duke of Sussex, with Lady Augusta Murray, was quoted as a precedent; and many other acts of similar power. But for Jerome's exclusion from the succession, and had it remained in force after Napoleon's last abdication, and after the death of his son by Maria Louisa, Jerome's American son, next after the present President of France, might become entitled as successor to the French throne. Nor would the grandson of a Baltimore merchant, in the drama of amazing Bonaparte events, be more foreign to the scene than the grandson of a merchant of Marseilles. Some of the Emperor's flatterers, and among them our fellow-citizen Talleyrand, held, however, American connexion in peculiar distaste. Joseph showed me a letter from Talleyrand to Napoleon, dissuading him from violent or arbitrary measures to break up Jerome's American marriage, and counselling gentler proceedings with the delinquent young prince; which characteristic letter flattered the Emperor's vanity by an aristocratic sarcasm at the American match, somewhat, as I recollect them, in these terms: "Not, sire, that I advise your majesty to submit to the transatlantic connexion, for I can imagine few greater domestic annoyances than twenty or thirty American cousins."

In August, 1807, Jerome's atonement for the American marriage, and obsequious submission to his imperial brother, were signalled by marrying the King of Wirtemberg's daughter

The wedding was celebrated at Paris, with great splendor, in the midst of a violent thunder-storm, striking the Tuilleries, which, like the calamitous occurrences at the wedding of the last Queen and first Empress of France, seemed portentous of times of trouble. Jerome's princely wife, however, handsome and excellent, took her upstart divorced husband for better, for worse, for richer, for poorer, with admirable constancy; and, throughout a life of vicissitudes, from royal splendor to painful destitution, performed, to the last, every duty with heroic feminine virtue. After her husband's degradation by his brother's downfall, the King of Wirtemberg's daughter resisted all the harsh efforts of her own royal family to separate her from her husband, with a constancy which he had not evinced when submitting to be divorced from the humbler American wife, to whom he was as lawfully married.

The constitution which Napoleon dictated for Jerome's kingdom of Westphalia is too memorable a proof of the liberal proclivity of their progressive age, countervailing the Emperor's military despotism, not to deserve to be incorporated with any account of him. A kingdom, called Westphalia, was constructed for Jerome in part of that Hessian portion of Germany whose prince, during the war of the American Revolution, supplied hirelings in arms to subdue transatlantic independence: an ephemeral kingdom, which soon vanished, to be replaced by the most flagrant of the German petty despotisms. From the towering eminence of his vastest empire, Napoleon prescribed to his youngest brother a written constitution for the kingdom of Westphalia, strongly marked with the popular spirit of American institutions, which, whether voluntarily or involuntarily, the mightiest European monarch was one of the greatest instruments to introduce and establish. In that tone of absolute command, which, if not part of his nature, had become habitual with Napoleon, so as to be stronger than nature, Jerome was directed to "convoke the deputies of his kingdom, half noble, half plebeian; keep the third estate always a majority; in your ministries, cabinets, if possible, in your appellate tribunals, in your administrations, let the greater number of persons you employ not be nobles; that system will

go right to the heart of Germany; and never mind, though it annoys the other class. Do not affect to raise up the third estate, but take, for a principle avowed, to choose talents, wherever they are. Adopt, at once, the Code Napoleon. Your throne will be founded truly and only on the confidence and love of the people. What all the German people impatiently desire is, that persons not noble, but with talents, shall have an equal right to consideration and employment; that all sorts of servitude and of intermediate connexions between the sovereign and the lowest of his people should be abolished. The benefits of the Code Napoleon, and public trials by juries, will be distinctive characteristics of your monarchy, on whose effects I count more for its establishment and extension than the greatest victories. The people must enjoy liberty, equality, and happiness unknown to the other people of Germany. Such government will be a stronger barrier for you against Russia than fortified places or French protection. What people would wish to return under the arbitrary rule of Russia, after tasting the benefits of a wise and liberal administration? The people of Germany, those of France, of Italy, and of Spain, desire equality and liberal ideas. In the many years that I have been conducting the affairs of Europe, I have had occasion to be convinced that the grumbling of the privileged is contrary to general opinion. Be a constitutional king, which, if even the reason and lights of the age were not enough, in your position, good policy would direct."

Thus created, crowned and regulated, Jerome established himself at Cassel; another not unconscious but voluntary agent of the freedom which, from France and an Emperor, was spreading throughout all Europe, precursor of, at any rate, representative, and perhaps republican government. King Jerome was recognised as a constitutional monarch by all the powers of Europe, except England—especially by the Russian Emperor, concealing his annoyance at the erection of the kingdom of Westphalia. As in Naples, and in Spain, Napoleon and Joseph, so Jerome founded liberty and equality in Westphalia, where the younger brother governed with good

sense, establishing useful institutions, and constructing monumental embellishments.

In Naples, in Spain, in Germany, wherever Napoleon enthroned his brothers, they were, each one of them, and his two reigning sisters likewise, much better rulers than the monarchs they supplanted. And, while Napoleon's ambition was the leading motive for their enthronement, yet family attachment was also an amiable but fatal motive. The policy which builds and enlarges empires, which necessitates, and thereby warrants Great Britain to subdue hundreds of millions in India, Russia to incorporate Poland, Austria to annex Hungary and parts of Italy, and this pacific republic the vast dominions already annexed, by purchase and conquest, to its Union, that policy may better justify Napoleon's occupation of Spain, or invasion of Russia, than his attempts can be vindicated to establish, at once, so many brothers and sisters on more than half a dozen thrones. No acts of despotic aggrandizement were so injurious to him as those domestic weaknesses. The Bonaparte family ruined the Napoleon dynasty. For one and the same household to mount the thrones of France, Spain, Naples, Holland, parts of Germany and Italy, as so many separate monarchs, was monstrous and insufferable violence to all established ideas of balanced power, and shocked the common sense of Europe altogether. It was, moreover, as contemptible as it was formidable. Aristocracy sneered, royalty revolted at sudden upstarts, whom no power, pomp, or talents, could save from even popular contempt. Not only did the pettiest princes look down on them, but they were obliged to look up to the pettiest descendants of princely ancestral families. Military subjugation might dethrone and intimidate, but it could not reconcile people to novel installations so numerous, of whom every, and even one, was extremely difficult of acceptance. The principle of legitimate succession, by primogeniture, to thrones and possessions, is a reasonable method for preventing controversy and civil wars, like last wills and testaments, which ages sanction. To tread such traditions under foot, at once, by the substituted principle of elective right, hard to be adopted by one nation, when asserted for six or

seven chief magistrates all at once, and then coupled with the exploded hereditary rule, appeared irrational, alarmed predilections, was displeasing to the common people. Napoleon was obliged to adopt election as the basis of his own empire; and novel methods for all the kingdoms, dukedoms, royalties and aristocracies he established by great changes, proclaimed as reforms, which, tending to overthrow absolute, introduce a representative government. But for a Bonaparte dynasty to force, all at once, any novelty on several countries, for the advancement to royalty of seven brothers and sisters, was an undertaking unexampled, much more disturbing of old habits than revolution in any one of those countries. The enchantment of Napoleon's exploits and talents, together with the state of France, reconciled that nation not only to submission to his sway, but also, perhaps, to perpetuate it by substituting his family for one born to rule them. But what had Joseph done to entitle him to the Sicilian or the Spanish thrones, on both of which he was forced by French armies? Or Louis, who was by like means, and almost against his own will, seated on the Dutch throne? or Murat, or Eliza, or Caroline, or Jerome, in German grand-duchies, Neapolitan and German kingdoms; all conquered for them by Napoleon; all but satellites of his orb? Neither circumstances nor reason warranted, nothing but force effected, their ascension to five or six foreign thrones, of which they were usurpers. The simple sagacity of mother wit, like animal instinct, truer than reason, warned their illiterate mother to foretell that such contrivances would not end well. And the also but little educated American Empress, however enamoured of regal and aristocratic splendor, confessed inexplicable apprehension that, from that immense elevation, there was imminent danger of a fall. The whole Spanish people unanimously revolting against Joseph, Louis's flight from Holland, and Lucien's escape from Italy, Jerome's Westphalian kingdom provoking the Russian war, and Murat's desertion of Napoleon at the crisis of his fate, all proved the fatal mistakes by which, whether from family affection, or selfish ambition, he forced so many nations to submit to his brothers and sisters as their illegitimate mo-

narchs. He might plead, with truth, that the present reigning house of Hapsburg began to rule much of Germany with no older or stronger right than his to make France his hereditary empire; that Louis XIV., in spite of all Europe in arms to prevent it, established his grandson on the Spanish throne; and that William III., by revolution, supplanted the royal family expelled from the English throne. But those were all individual, and two of them royal, instances of one ruler, by force or chance, seated on the throne of one nation. Never, before, was the attempt made by arms to compel many nations of Europe to accept several members of one family as their hereditary monarchs all at once.

As a necessary consequence of Napoleon's French Empire, an aristocracy was constituted, an imperial nobility, baseless, transient, and incongruous with aristocratic vitality. A throne, mounted sword in hand by one of the people, by their election, but no other sovereignty than popular basis, must be precarious of tenure. Has there ever been such a one in modern Europe? Dynasties have been changed. But when Louis XIV. put his grandson on the Spanish throne, and when Parliament elected William III. to the English throne, there were royal pretensions and connexions to give color of right. Before Bernadotte became King of Sweden, he was familiarized to the nation as their prince and heir-presumptive to the crown, and to all Europe as successful leader of their combined armies against Napoleon. A conqueror may capture a throne, peradventure keep and transmit it in his family. But to create a class without privileges, as the French Emperor attempted, to endow them with imposing titles and gorge them with enormous wealth, without any power but that of wealth, or any distinction but title, will not make an aristocracy. Wealth alone, however powerful, will not ennoble; nor mere title, without both wealth and power. To render men noble, they must have privileges. Give the vanquisher of Napoleon at Waterloo the ten millions bestowed on Wellington, legalize their exclusive possession and transmission to an heir by entail and primogeniture, and make him, with his heir, hereditary lawgivers, with all the attributes and immunities of legislation,

and Arthur Wellesley, not only the father, but the son, would be as eminent and dignified without as with title. There would be no occasion to call him Duke: for it is not the title, but wealth and privilege perpetuated in exclusion of other people, that ennoble a class unknown to antiquity, and the creation of feudality. When Napoleon abolished that, with their privileges, he created a short-lived, baseless class, like his family kings, militant with his own method of government, with his dynasty, and with the nature of things.

His consular amnesty recalled nearly all the emigrant aristocracy; of whom the imperial court captivated from the forgotten Bourbons most of the few still abiding their forlorn chance. Josephine, foremost to surround her person with ancient nobility, knew, what her husband's secretary Meneval says, that the Emperor's inclination for them proceeded from the sympathy he always felt for classes, the antiquity of whose services, as well as their good education, pointed them out particularly to his attention. He thought them more interested in the order of things which he founded than republicans, always inimical to the principles of his administration, and dreaming an ideal government. He considered himself as having taken the succession of the monarchies which preceded his, but not their maxims. That was one of the motives of his partiality for Talleyrand, as a leading intermediate in the work of fusion and conciliation between the old nobility and new. He made some of the old dukes senators. For the foreign relations, he considered that ambassadors taken from the ancient castes would better suit courtly intimacies, and, by affiliating with the freemasonry of aristocracy, be of great advantage to him. With these inclinations of the Emperor, the poverty, vanity, and habits of the old nobles coincided. In a short time there was not a French old noble family, some of whose members were not in the livery of the new court, insinuating themselves into numerous places at the capital and in the provinces, born, as they believed, to live without labor, on public bounty. The small remnant of still Bourbon-adhering and exiled royalists were glad to see their children taking office under the Empire. The French minister in this country, Ser-

rurier, a man of the republic, without ancestry, had for secretary the son of an ancient duke, Caraman, adhering to the Bourbons, another of whose sons was serving the Emperor in arms.

Thus inclined himself, urged by his wife, who was its first great victim, and encouraged by the aristocracy, who more than reciprocated his caresses, Napoleon attempted a composite order, on a perilous basis. His meddlesome governance, intruding in every household, regulating ladies' dress, gentlemen's entertainments, and the marriages of both, anciently royal, was not perhaps so erroneous, in the essayed fusion and consolidation of the old with a new nobility, as his attempt to establish unprivileged and merely titular opulent aristocracy. Equality was carried to strange extremes, when the barefooted tailor-boy, who ran Joseph's errands in Corsica, Sebastiani, was, by authority, married to a daughter of the Duke of Coigny, and the issue of that union to a son of the Duke of Choiseul, Praslin, whose tragic murder of his wife was one of its results. Granting, however, the policy of the monarch's marrying his military upstart celebrities to the daughters of ancient nobles, it was a capital mistake to create an aristocracy without privileges, because it induced all nobles, new and old, to combine for the restoration of a master who would restore their privileges, and uphold them altogether as a privileged class. The new nobles were gorged with enormous wealth, taken, with most of their titles, from the inexhaustible stores of the foreign conquests Napoleon made by their instrumentality. The old nobles were mostly impoverished by confiscation, banishment, and depreciation of property. Inimical to each other, what they both best agreed in, was desire, the old to be restored to former privileges, the new to be invested with the like. New and old, welded by Napoleon's iron grasp into one heterogeneous and invidious mass, they were altogether opposed to his novel monarchical system. They wanted a master to ennoble them as before the revolution. Napoleon's retrenchment of noble privilege was a two-edged sword, which struck at his dynasty, and for the eventual alternative of either a Bourbon king or a republic. All new nobility must be more or less socially insig-

nificant; the old look down on them, the community hardly look up to them. The new imperial nobles were patented with splendid old titles — dukes, counts, barons. The old nobles were deprived of their titles: in order to get one, they had to take the Emperor's grant, which sometimes degraded a duke to a count, or even a baron. Furthermore, as all wanted privileges, so all desiderated splendid repose. They did not like to be continually fighting for their fortunes, their titles, and their lives, in order to maintain on the throne of France a monarch who denied them all the privileges they coveted, and required them to expose themselves, not only for his dynasty, but those of six brothers and sisters, on as many foreign thrones. They longed for a monarch who would protect them privileged in peace and splendor. The old by ancestry, the new by wealth, were rendered so independent of the Emperor, that nearly all the old, and many of the new, were prompt to desert their benefactor in the hour of his need. Savary, Duke of Rovigo, one of the new, testifies that the new nobility were more faithless than the old. The new, nearly all the most prominent being military, may have been sooner put to choose between themselves and the creator of their aristocracy. Still, if the fact be as averred by Savary, it tells favorably to those educated to honor and truth, and discreditably to the ignoble ennobled. Although in all the wars he waged, the Emperor might insist that he was not the aggressor, yet his soldier aristocracy were tired of war. What more could they get by it? The old aristocracy could not vie in magnificence or favor with the new; the new were eclipsed by the old, in all that homage bestowed on respectable ancestry in all countries and ages. To reconcile equality with nobility is impossible. Napoleon swerved from the people, when he crowned himself, with nearly all his family, and put coronets on hundreds of his followers: else the people would not probably have cooled to him. And when, without their cordial support, he appealed to that of his enthroned family and ill-contrived aristocracy, Murat, on one of the thrones, Marmont, a semi-noble, endowed with one of the imperial dukedoms, were the first to betray their creator, and ensure his overthrow. His

monarchy, his family, and his aristocracy, combined to destroy him more fatally than his tyranny. From the execution of the Duke of Enghein, which precipitated his coronation, and the victory of Austerlitz, which emboldened him to enthrone his whole family, with the invariable and prodigious successes that followed the further creation of his compounded aristocracy, during eight years of vast aggrandizement, from 1804 to 1812, the true glory, the real power, and the happiness of the dictator, decreased; dread of him was universal, but no longer love.

As citizen, general, and consul, Bonaparte, notwithstanding hostile traduction, was really not only the greatest, but the brightest and purest of potentates, and might have lived and died with that character. As Emperor, he did whatever detracts from his renown as a man, however he may have increased his military fame, or inordinate power. Always kind and affectionate, and mostly judicious, his temptations were immense, and his advisers many of them worse tempters than even his triumphs. From the first moment of his consular to the last of his imperial career, two extraordinary traitors, whom nearly all concur in denouncing as extremely bad men, Talleyrand and Fouché, were nearly always in his councils. Family crowns and multiplied coronets disaffected the French, and disgusted other nations. Neither the crowned heads nor the coroneted proved reliable in the agony of overthrow, when the dictator, as a last resort, attempted, too late, to rally the people to his support. Like considerable donations from the opulent in time of trouble to public revenue, which can never be maintained but by taxation of all the community, aristocratic and military contributions proved insufficient, the popular bulk was indispensable, and though the common people did not entirely desert, they ceased cordially to support the chief who had long shown, and even in that supreme emergency betrayed, estrangement from them. If the new-made Duke of Rovigo is to be believed, the new nobility were more faithless than the old. But all nobility, old and new, were unavailing, without cordiality of the people. If Bonaparte had never crowned himself, and nearly all of his family, and many

of his favorites, the people would never have abandoned him ; for their instinctive attachment seldom fails to be steadfast to any man true to them. Napoleon, in the anguish of abdication, reasoned wisely on the force of popularity ; because he had diminished, almost sacrificed, his own to imperial elevation and factitious aristocracy. That society in Europe may need to be classed, some with privileges superior to others, my argument does not deny. Several fungi of aristocracy in this republic already attest that mankind are prone to social orders and degrees. Worthless personal designations annul constitutional provision that the United States shall grant no titles of nobility. But our fungi aristocracies arrogate some privileges, whereas the dukes, counts, and barons of the Emperor Napoleon, endowed with imposing titles and prodigious wealth, were to hold both on the impracticable condition, that it should be without privilege, for which they sacrificed their creator, in hope that another grantor would restore, as of old, and add that advantage to wealth and title. French traditions and national vanity required, perhaps, notwithstanding the renunciation of noble titles, their revival for a monarchy. Notorious revolutionists, like Fouché, to be conciliated by public employment, an elective sovereign, with difficulty reducing former political equals or superiors to inferiors, degraded by titles and court garbs. All the imperial nobility enriched and entitled, but not otherwise dignified, unless by office, barons in, outranking dukes out of, public service ; nobles, without privilege or office, were without authority. Napoleon's nobility, like his monarchy, reducing the pristine influence of both principedom and aristocracy, French titles became insignificant, as, without both wealth and privilege, title always must be ; and, whether willing or unwilling, degraded.

Similar, and still more fatal, mistakes of vain aggrandizement were Napoleon's divorce from his first wife and marriage with a second. Execution of the Bourbon prince was extremely detrimental to Bonaparte ; usurpation of the Spanish throne was a cardinal mistake of Napoleon, the fraudulent method more indefensible than the violent act. But more pernicious than any thing else, even more crushing than the ruinous Russian

campaign, was the conqueror's servile virtual confession, that he felt unsafe on his plebeian throne, while sustained by only the sovereignty of the people; and that, although he could vanquish and dethrone emperors and kings, yet his own throne required the cement of their matrimonial alliance. Josephine, too old for any hope of children, during fourteen years of fabulous prosperity an affectionate consort, anxiously and admirably recommended by her grace, benevolence, and winning manners, if sacrificed to state or dynastic necessity, history could palliate with precedent, policy might pardon, and a more fruitful wife, if French, perhaps would not be out of keeping among the miracles of Napoleon's enormous reign. But a foreigner, an emperor's daughter, niece of the last deplorable queen of France, was mightiest of the mistakes of the infatuated conqueror, who, abandoning elective right, meanly knelt in idolatrous veneration of hereditary illusion, and proclaimed to the people who anointed him that their unction and his sword were unavailing, without regal sanction. Some of his most incredible victories and conquests, having brought him again triumphant to Vienna, the imperial house of Hapsburgh was at his feet, for a sentence that it had ceased to reign, as the same demolisher had said of the older and more royal Bourbons reigning in France and Spain and the Two Sicilies. Instead of that, by the treaty of Vienna, signed there the 14th November, 1809, Napoleon surrendered nearly all he had won for monstrous misalliance. The force of tradition, of ancestry, of family, of caste, of mere fashion, subjugated the victor to the vanquished. The humblest of any of the American toiling millions, illiterate, and howsoever ignorant, is proud of a father, grandfather, uncle, or kinsman, who may have served as a common soldier, drummer, or servant in the revolutionary army. Slaves are valued for their families; horses, dogs, and cattle by their races; and Napoleon yielded to universal human nature, when his vanity desired ancestral help. It was not true, when he told his imperial father-in-law that he preferred to be Rodolph of Hapsburgh; Napoleon, in all his immensity, was not proud enough to feel that he was himself an ancestor. If, as long afterwards he said, with bitter pain of memory, the

assassin had succeeded who attempted his life in the palace where Maria Louisa was born, that calamity would have been much less deplorable for the victim, and much less calamitous for France, than his Austrian marriage. In special remorse for that offence against morality and policy, but still, when expiring on his rock at St. Helena, unworthily sighing for a throne, the fallen Emperor justly termed that marriage an abyss covered with flowers, in which he plunged to destruction. Ostentatious magnanimity by the treaty of Vienna, was but false forbearance for Napoleon's greatest misstep on the road to ruin.

Louis Bonaparte's sons were in the established line of succession to the imperial throne. Jerome soon had sons, and born of a king's daughter. Lucien had several sons, though not in the line established. Eugene, the step-son, was a worthy favorite of the Emperor; though I know it was Joseph's belief, contrary to a common impression, that Josephine had never pressed her husband to adopt her son as his imperial heir. She was weak, timid, and unambitious. Her son was not a man whom his step-father deemed capable of holding the reins of his vast empire. Nor did Napoleon's family countenance his divorce, as has also been said. Lucien and Louis were absent and estranged; Joseph was engrossed in Spain, and always discountenanced the Emperor's union with any foreign wife; Jerome was in Westphalia, and of no weight with Napoleon. Their mother and Joseph's wife, Queen Julia, as she was called, were both much attached to Josephine. Eliza, Pauline, and Caroline, with occasional little feminine jealousies of Josephine's influence and grandeur, were not averse to her. The divorce was the Emperor's own act, by advice of bad counsellors, of whom Fouché, Duke of Otranto, the omnipresent instigator of misrule, was one of the earliest suggesters, and the most cruel and pertinacious persuader. The idea did not originate with the Emperor, but was conceived by its unhappy victim, long before entertained by her husband. From the death, as heretofore mentioned, of Louis's eldest son, in Holland, in 1807, Josephine had been uneasy, and parasites busy, about a successor to the Empire, which the monarch's family

and the marshals might dispute, as Fouché insisted; and, said that Jacobin courtier to Senators, the Emperor is too fond of the Empress Josephine; too good, too tender-hearted, to inflict on her the pain of such a sacrifice, unless we constrain him to do what is indispensable to his dynasty. Nor were Fouché and Talleyrand the only contrivers of the ill-fated divorce, as they advised the lamentable execution of the Duke of Enghein. If the most authentic French history is to be believed, the Emperor of Russia, in the apparent warmth of his attachment to Napoleon, among their confidential chaffering at Tilsit, for Turkey and Poland, not only yielded Spain, Naples, and the continental system, to the Empire of the modern Charlemagne, but craftily suggested a princess of the Russian imperial family as Napoleon's wife, if divorced from his childless Empress. Afterwards, during the war of 1809, between France and Austria, ending with the battle of Wagram, Russia, become a cold ally of France, was preparing to get rid of the distressing trammels of the continental system. When, therefore, an Austrian princess was tendered, and the expected Russian princess, if not withheld on demand, at any rate was not promptly forthcoming, the same never-failing evil counsellors, Fouché and Talleyrand, overruling Murat and others, who, when consulted, adhered to the Russian alliance, advised the Austrian wife. And, as Joseph always said, the Greek religion determined the matter. A large majority of France, including nearly all the nobility, Italy almost a French province, and Spain to be subdued to Joseph Bonaparte's sway, were Roman Catholic: and it might have alarmed the clergy, as well as otherwise shock public sentiment, to place a Russian princess on the French throne, with her Greek rites, pope and priests. Napoleon's gradual acquiescence in the repudiation of an amiable, devoted and fond wife, long the exclusive partner of his bed, was probably not entirely from conviction that a son was necessary to his dynasty. He had betrayed so much desire to advance his family by royal marriages, that he must have deemed such a one promotion for himself. The feeling is intense which ranks social respectability above political power. Campaigns, absences, and flatterers, had also loosened the hold

which old Josephine had on his constancy, when all hope of an heir by her was at an end. Lamartine's prurient and scandalous imagination of numerous fugitive amours has been already noticed as the mere royalist fancy, that Napoleon had mistresses because kings and princes multiply such baubles with impunity and applause. Napoleon's amours is one of the many fables told of him, of whom all sorts of absurd inventions abounded. So little prone was he to that royal privilege, that, if given to it at all, it would have been more from vanity, because it was king-like, than any amorous propensity. His rare amours were like occasional campaign meals, snatched under trees, or in hovels, as exciting irregularities, induced by fascinating women courtiers, vain of the embraces of a hero before whom all monarchs faded. His only two natural children are, one called Count Leon, son of a French mother, who afterwards married a German; and another, Count Walewski, son of a Polish lady of that name, both strongly resembling the Emperor; Count Walewski was employed by King Louis Philippe as a foreign minister, and is now ambassador, in England, of the French republic.

When Napoleon was persuaded and resolved to espouse a regal wife, for an heir, there were no marriageable foreign princesses but Saxon, Austrian, and Russian; the latter very young; and in 1809 the Emperor Alexander was alienated, by Napoleon's declining to let Russia subdue Turkey. The Saxon princess was a Protestant; an English or Bourbon princess was out of the question; and a Frenchwoman would not be the regal spouse desired. When the imperial government of Austria, certainly the royal Saxon, and, according to all credible accounts, the Russian likewise, desired their princely daughters to be the wives of their married conqueror, and his sycophants urged his divorce for that purpose, Maria Louisa, the princess selected for the sacrifice, was the eldest daughter of the Emperor Francis I. of Austria, by the second of his four wives. Educated in complete seclusion, and passive obedience, she was taught to consider herself an instrument of imperial policy, destined for whatever might contribute to her father's political welfare. With those feelings another was engrafted, of horror

at the monster who, she was taught to believe, had usurped the throne of France, steeped in crime, coarse, callous, brutal, bloodthirsty, and disgusting; a Minotaur, whom it would be monstrous to embrace. The imperial family of Austria, all the nobility of Europe, and most of the common people, considered marriage to Bonaparte as the worst infliction of irresistible conquest. In such repugnance, princely, aristocratic, and popular—universal—Maria Louisa was sacrificed to save a shred of empire, from which successive conquests had torn so much away. A well-educated young woman, tolerably versed in several languages, though not speaking French perfectly, somewhat instructed in Latin, which is spoken in Hungary, could paint in oil, was a good musician, quiet, timid, well-formed, healthy, plump, with a profusion of chestnut hair, and the thick lips that are said to indicate her family. Josephine was her better in appearance, grace, manners, and experience of the world: with the soft negligence and sweet familiarity of a Creole, well practised in the ways of attraction; in all but princedom, age, and fecundity, much the best wife. The two were alike in placid, even tempers, total abstinence from all politics and intrigue, and complete submission to a husband absolute but affectionate, whose lively and fond attentions they both courted and enjoyed. The Austrian, undeceived as to Napoleon's manners, habits, and temper, soon learned to like as much as she had dreaded him; for rarely was husband more uxorious; and from Maria Louisa's arms he boasted that he never strayed. So warm had her attachment become, that she wished at one time to follow him to Elba, but was told, among other means of deterring her, that his mistress, Madame Walewski, was there with him. Lamartine paints an affecting description of the Emperor's refusal, at Fontainebleau, either to consent to this lady's entreaty to be allowed to accompany him into banishment, or even to see her for farewell. But how preposterous is that prejudice which imputes it as unfeeling to the Emperor, in the distraction of his overthrow, betrayal, and abdication, to misspend precious moments of extreme disturbance in unavailing sympathy with a mistress vainly deploring his departure, and urgent, by going with

him, to give unpardonable offence to his lawful wife and all the imperial connexions, whom, no doubt, Napoleon valued infinitely more than any object of illicit love; for love was not the passion of a man who said of himself, that his absorbing passion was power.

Fouché is said to have been the barbarous serving-man who first told Josephine that divorce awaited her. The Emperor having come to that determination, after several cold, uncomfortable interviews, on his return from Vienna, at length plainly announced to Josephine the cruel degradation designed for her, which she had long apprehended. Her son and daughter were then employed by their step-father, and submitted to the revolting task of engaging their mother's acquiescence. And it is flagrant proof of the selfish rapacity for kingdoms to which Napoleon had inured all his household, that at the first interview between him and Josephine in her son's presence, he pleading for her submission, she entreated the Emperor to make Eugene king of Italy, where he was then viceroy; from which he dissuaded her, lest it should seem to be the price paid for her consent to the divorce. Among the reflections forced upon us by that sacrifice of domestic affections to inordinate ambition, is the remarkable fact, that, while the divorced woman's descendants, the Beauharnois, are now connected with several royal families, the family of the husband, the Bonapartes, by the death of the only issue of Napoleon's imperial consort, lost in a single life all such connexions, except by the remote and slender tie of Jerome's Wirtemberg wife, whose children were excluded from the imperial succession. Such is the short-sightedness of worldly wisdom, and the caprice of fortune. If Napoleon had lived as long as Joseph, or their mother, he would have survived his son, the King of Rome, witnessed his wife's cohabitation with Niepperg, the dissolution of all his royal connexions, and the permanent establishment of those of his divorced wife.

On the 16th December, 1809, the Senate decreed the dissolution of the civil contract between Napoleon and Josephine; and there was no other, no religious union between them having ever been solemnized. On the 18th January, 1810, the

diocesan officiality of Paris, after some hesitation, annulled whatever spiritual obligation there might be. From that time till her death, the Emperor divided his attentions between Josephine, whom he continued to treat with the most magnificent respect, and Maria Louisa, to whom he was always a devoted husband. After his last interview with Josephine as man and wife, during the fortnight that elapsed before Maria Louisa's arrival, the Emperor withdrew from Paris to Trianon, and, contrary to the industrious habits of his busy life, for the first time gave himself up to mere pastime, shooting and hunting; often, however, visiting Josephine, by the kindest attention ministering to her comfort and enjoyments, preserving her title as Empress, granting her a revenue of three millions of francs, and in every way striving to soften the blow, to which she submitted with gentle but melancholy resignation.

Although the first monarch of the imperial German or Austrian house of Hapsburgh was merely a fortunate adventurer, who succeeded by noble alliances to found a dynasty second to none in Europe, to which German and Hungarian nobles rallied ever since, as Napoleon flattered himself the French nobility would to his, yet his foreign wife was parcel of the conquests by which he humiliated Austria, whose nobles could not be reconciled to it; one of whom, most forward, as his imperial master's representative, to tender the imperial wife, and rejoice in her marriage to the conqueror, Schwartzenburg, as soon as Napoleon's reverses began, was the first to declare that the match which policy made, policy might undo. On the 16th February, 1810, the Emperor Francis signed the marriage contract of his daughter with the Emperor Napoleon, whose ambassador extraordinary, Berthier, Prince of Wagram, to marry the princess by proxy, executed the civil contract with the great Archduke Charles, on the 9th March, and the religious ceremony was performed the 11th of that month, 1810. Hollow demonstrations of joy and tokens of amity were paraded, with unprecedented concession of German ancient imperial supremacy to that of recent French. But the German imperial family, the country nobility, and the people, by unequivocal indications, manifested their sense of shame. The

police of Vienna were constrained, by strong precautions, to prevent insulting popular outbreaks. An old archduke, Albert of Saxony, who had been present when Maria Antoinette was married to Louis XVI., would not attend the marriage of her grand-niece to Napoleon. Berthier's magnificent suite entered Vienna by a temporary bridge, where the French conquerors had lately destroyed the fortifications of the German capital. Metternich followed Kaunitz precedent, by whose advice the haughty Empress Theresa complimented Louis XV.'s mistress, De Pompadour; accepting transient dishonor, as not reprehensible, if conducive to ultimate success. Minor aspirants for less power daily submit to less conspicuous elevation of castes, both aristocratic and democratic, and kneel to vulgar superiority for preferment; like kings, princes, and statesmen at unworthy shrines. Metternich, nevertheless, adroitly seized the general manifestation of Austrian discontent with the French marriage to remonstrate against the hardest conditions of the last peace dictated to his father-in-law by Napoleon, whose minister replied, that to his magnanimity the Emperor Francis was indebted for his very throne, and the Austrian Empire for its existence. Thus the inauspicious marriage was treated by the wife's countrymen as odious, and by the husband's, as conquered, like Italy, Illyria, and much more of the German Empire, torn from its foundations and annexed to France. At Paris, too, there was strong feeling of superstitious deprecation. Popular instinct recalled historical recollections of the misfortunes which followed the marriage of Maria Louisa's great-aunt, Maria Antoinette, with Napoleon's precursor on the French throne, both brought to the scaffold, and all Austrian alliance was regarded with ominous misgiving.

Nevertheless, Napoleon and his court consummated his union with an Austrian imperial princess, as the indestructible pledge of his perpetuated imperial dynasty. All the pomps and splendors of demonstrative France were eclipsed by the magnificent ostentation of Maria Louisa's arrival at Strasburg and journey to Compiègne, the place appointed for meeting the Emperor. Fetes, progresses, and rejoicings unexampled signalized her advent with ovation, her pregnancy by transports of felicitations.

tion, her giving birth to a son, called King of Rome, by delirium of delight. The French Emperor, then more than forty years old, never the harsh and abrupt despot falsely depicted, always gay, communicative, and polite, exemplified one of his own oft-quoted adages, that from the sublime to the ridiculous there is but one step. The hero, for fifteen years absorbed in achievements filling the world with his renown, descended at once to all the frivolities of a puerile honeymoon; performing the part of a giddy enamoured youth. To meet his bride, he was persuaded by his sister Pauline, queen of no other realms than those of fashion, dress, and female elegance, to lay aside the regimentals which he had worn ever since his lieutenancy, and throughout his whole manhood, and put on a suit of clothes made by Leger, the fashionable tailor of Paris. After trying, however, he could not bear the change, but resumed the uniform and black stock, which, like his gray surtout and small cocked hat, had become classical as well as habitual. Wherever Maria Louisa stopped on her journey, a page met her with a love-letter from the Emperor, with bouquets of flowers, and game which he had killed with the time he misspent, longing for her arrival. He personally superintended the arrangement of her apartments, splendidly furnished the walls of one room, entirely draped with Cashmere shawls. Whatever royal precedents established for the reception of a queen of France, was re-enacted with preposterous servility. A soldier, who had followed Napoleon in most of his battles, Savary, Duke of Rovigo, aptly says of these backslidings, "We were already become courtiers more obsequious than those of Louis XIV., and no longer the men who had subdued so many peoples."

As the princess approached Compiègne her impatient lover would no longer bear the delay of forms and fetters of ceremony; but, jumping into a calashe, hastened, incognito, with no one but Murat, attended by a single outrider; to meet, surprise, and salute his eagerly expected and half-married bride. Returning with her after night, in a pelting rain, the enamoured dictator, broken to no denials, and yielding to no obstacles, contrary to the express interdict of his own Code Napoleon, would not await either the civil contract or the re-

ligious union afterwards solemnized at St. Cloud and Paris, but anticipated both by immediate cohabitation at Compiègne. Such was the magnificent, fatal, and illicit union of Napoleon with another emperor's daughter. As on all occasions surrounded by his family, he introduced to the Empress the numerous monarchs of his making — Joseph's wife, then Queen of Spain, Louis's wife, Queen of Holland, Caroline and her husband, King and Queen of Naples, Jerome and his Wirtemberg wife, King and Queen of Westphalia, Eugene and his Bavarian wife, Viceroys of Italy, Stephania Beauharnois, Grand Duchess of Baden, with a long train of nobles, new and old, who attended the wedding and predicted its happy results. Madame Mother, as the parent of all the Bonapartes was called, was there, less confident of the future. On the 1st of July, 1810, when the Austrian ambassador, Swartzenberg, entertained the imperial bride and bridegroom at a ball, the terrible accident which marred the celebration of Maria Antoinette's wedding was recalled by a fire, by which a princess Swartzenberg, and other distinguished guests, perished in the flames, and the Russian ambassador, Kourakin, was trampled under the feet of crowds of affrighted fugitives from the conflagration, which Napoleon, with all his power and energy, was unable to extinguish, till it confirmed the popular superstition, that his marriage was doomed to calamity.

Joseph was struggling in vain against unanimous popular aversion in Spain, Lucien, seeking refuge in America, found it in England, Louis, also flying from Napoleon's dictation, escaped into Austria, Russia was arming for the contest in which Napoleon fell, Austria and Prussia were secretly combining for another conflict, the Pope was a French prisoner, the continental system was enforced by a decree that all English merchandise should be burned, Holland, Rome, and other distant independencies, were reduced to French provinces; Napoleon erected one hundred and thirty instead of eighty-five French departments, extending France, so called, from the Baltic to the Garigliano, from the Adriatic to the ocean. As the Emperor's flatterers told him, and his own ambition confirmed, the fragments of the empire of Charlemagne were

put together under Napoleon's sway, and all that was wanting to perpetuate that empire was the son born the 20th March, 1811.

The year 1810, so pregnant with events indicative of Napoleon's approaching decline, was that in which one of his most formidable antagonists, Bernadotte, was chosen, by the States-General of Sweden, assembled in extraordinary diet, hereditary prince of that kingdom, and adopted son of the reigning monarch, Charles XIII. It has been already mentioned that Napoleon preferred that Eugene Beauharnois should assume the crown of a kingdom disposed to strengthen itself by close alliance with the French Emperor. But Eugene and his wife declined; and Bernadotte pleaded to his commander, reluctant to name him king, "Sire, would you make me greater than yourself, by constraining me to refuse a crown?" The prince put aside, to be supplanted by Bernadotte, was said to be his mother the queen's son by a father allowed by the king her husband to perform the office of which he was incapable.

Numerous family thrones, a nobility without privileges, divorce from a French wife, and misalliance with an emperor's daughter, all contributed to Napoleon's overthrow; to which his despotic practical refutation of the principles he sincerely professed, was, no doubt, largely instrumental. Despotism, which he called dictatorship, forced on him by constant and marvellous success against several aggressive coalitions, misled him to place nearly all his family on thrones, to create an ill-contrived aristocracy, to repudiate a much respected wife, and misally himself with a foreign princess, whose family and country were his unappeasable enemies. From those steps towards ruin, we now go back a few years in point of time, to that invasion of Spain, of which Napoleon himself testified at St. Helena, "That unfortunate war dethroned me. All the circumstances of my disasters concurred to attach themselves to that fatal knot. It divided my forces, multiplied my efforts, opened a wing to the English soldiers, attacked my morality in Europe. I confess that I embarked very badly in the affair. The immorality could not but show itself much too plainly, the injustice much too cynical; the whole remained a vile affair."

After such severe condemnation by the author himself of the most censurable political injustice of his life, history can hardly undertake its defence or apology. Still something may be said to explain what the author's candid and repentant confession does not deny, was a vile end sought by immoral means. Mack had been Austrian agent of English subsidies, whose surrender at Ulm was announced to Pitt the 17th October, 1805, when entertaining his pupils, Canning, Castlereagh, and the future Duke of Wellington, at dinner. The victory of Austerlitz, on the 2d December of that year, was fatal to the British premier, whose health immediately failed and declined, till he expired, the 23d January, 1806. Pitt and Napoleon, bitter foes, both died of broken hearts, the one at forty-seven, the other fifty-four; both prematurely cut off. Pitt sunk under the peace of Presburg, dictated by Napoleon to Austria; Napoleon under the treaty of Paris, dictated by Castlereagh to France. Many of his predictions at St. Helena have been realized. Pitt likewise prophesied; as was attested by Wellington at the table of Richelieu, first minister of Louis XVIII., in presence of the foreign ministers of nearly all Europe, at Paris, in 1816, eleven years after the prophecy then verified. To his guests in 1805, and three years before Napoleon's invasion of Spain, deploring the battle of Austerlitz — "Spain," said Pitt, "will light the first blaze of that patriotic war which alone can save Europe. My intelligence from that country is, that if the nobility and clergy have degenerated, by the effects of bad government, and are at the feet of a favorite, the people preserve all their primitive purity, and their hatred of France, as much as ever, and almost equal to their love of their sovereigns. Bonaparte thinks, and must think, their existence incompatible with his. He will try to expel them; and then will arise the war I desire."

Consolidation of the two governments of France and Spain in the hands of one and the same monarch, was a French ambition by no means originating with Napoleon. Louis XIV. attempted and nearly accomplished it, whose succession Napoleon considered his inheritance. Louis Philippe latterly risked his crown to marry his son, in defiance of England, to the pre-

sumptive heiress of the Spanish throne. Spain has mostly been closely allied with France; joined her in the contest for North American independence; and, from the treaty of Basle, remained always in close alliance. But in March, 1806, when Joseph Bonaparte supplanted the Bourbon King of Naples, Napoleon was tempted to try the same thing in Spain, by a state of things which might have induced any French government. Ferdinand, the dethroned King of Naples, brother of Charles IV., King of Spain, refused to recognise Joseph as King of Naples. "If Charles will not, his successor shall," said Napoleon, "recognise my brother as king of Naples." A Russian ambassador, Strogonoff, to counteract the Emperor Napoleon's apprehended designs, was sent to Madrid, in January, 1806, and prevailed on the Prince of Peace, who was in effect the Spanish government, to unite Spain with the coalition against France. At the same time, Augustin Arguelles went secretly from Spain to London, to make peace with England, as necessary to save the Spanish American colonies, where General Beresford had already captured Buenos Ayres. Urged by Russia and countenanced by England, the Prince of Peace issued his ambiguous, warlike manifesto of the 6th October, 1806, understood to announce war against Napoleon, though not expressly declared. If at that time he had anticipated Spanish hostilities, by invading Spain, he would have been not only justifiable, but perhaps successful; for in such warfare with the Spanish government there would have been nothing insulting to the nation, as involved in Napoleon's invasion two years afterwards. The end was justifiable in 1806, and the means would be easier. A small French army might have taken Madrid and overthrown the government then, which several hundred thousand French troops were unable to effect in 1808, by conquering the offended people. But just when the Spanish manifesto of October, 1806, menaced Napoleon, Prussia plunged into the war against him, and Napoleon found it necessary to defer the contest, become inevitable with Spain, from French policy. Meantime the victory of Jena demolished the kingdom of Prussia, created by aggressions and conquests of the great Frederic as

unjustifiable and aggrandizing as Napoleon's invasion of Spain. Jena, superadded to Austerlitz, and England exciting Portugal to conflict with France, Napoleon had reason for sending an army into Spain, where the condition of the government invited, if it did not justify, expulsion of the reigning royal Bourbon family. Stolidity of the king, Charles IV., profligate impudicity of the queen, who said that her son Ferdinand was not her husband the king's son, the base and ignoble, unfilial and infamous nature of the prince, afterwards Ferdinand VII., as heir-apparent rebelling to dethrone his father, the universal hatred in which the queen's paramour and king's favorite, Godoy, Prince of Peace, was held, all these circumstances strongly pleaded for a change of such detestable sovereigns. The government was totally disorganized; every branch of it in complete disorder. The army, the navy, the judges, the other officers of state, were unpaid. The national debt was enormous, credit at the lowest ebb. The whole resources of the kingdom were insufficient for current expenses. Shocking quarrels prevailed in the royal family. The son revolted and dethroned the father; the mother accused the son of attempting to murder her; the favorite was cast into confinement and his life endangered by a mob of the prince's faction. Both the royal contestants, father and son, appealed to Napoleon to protect each against the other. Ferdinand entreated him to give him a wife of the Bonaparte family, which would have been done, but that Lucien's daughter Charlotte, chosen for that purpose, refused the arrangement. The French troops marched into Spain were received as deliverers. Napoleon was universally popular there; his portrait was in every family, his applause on all tongues. All classes, noble, clerical, royal, and plebeian, regarded him as the hero who had subdued anarchy, restored order and religion in France. They intreated him to rid them of Godoy, and maintain Ferdinand, proclaimed king in place of his cuckold, stupid father, strumpet mother, and her detested paramour Godoy. Napoleon had no doubt meditated the substitution of his for the Bourbon family on the Spanish as on the Neapolitan throne. The Spanish royal incumbents were undeniably unfit

to reign. The Bonaparte who had reigned in Naples proved himself a wise and virtuous as well as a welcome monarch, who might regenerate the Spanish nation, as he did the Neapolitan. Napoleon would complete what Louis XIV. began; the union of Spain with France under thrones filled by one family. Spain was disgusted and distracted by the despicable Bourbons, and enamored with Napoleon, who had no hand in the royal Spanish quarrels; neither originated nor matured the rupture and convulsions which, as it were, providentially invited him to enthrone his family instead of the Bourbons. Entirely and always the creature of circumstances, conforming himself to them, and not forcing them to him, in that spirit a fatalist, he might well believe that fortune called him to put his brother on the Spanish throne.

With such Spanish and individual inducements, those of all Europe harmonized. The British outrage at Copenhagen, in September, 1807, united Russia, and Austria, and Denmark, in fact, nearly all Europe, with Napoleon, in bitter aversion to England. That monstrous aggression of the Canning and Castlereagh ministry enabled Napoleon to enforce his continental system with redoubled vigor. The same Jackson who soon after came as British minister to the United States, envoy who accompanied the British fleet and army to Copenhagen with Admiral Gambier, chief of the British negotiators at Ghent, commanding the fleet, by their nefarious exploit, seconded the victories of Jena and Austerlitz, to tempt the French Emperor to abuse colossal power. At Tilsit, Alexander urged him to pursue his career of conquests, and continued, long afterwards, constantly to countenance his family sovereignties. It was Napoleon's misfortune to have no opponent then, nor obstacle on the continent; with infinitely better reason to put a brother on the Spanish throne than Alexander had a right to Finland, England to Malta, or, since his overthrow, most of his conquerors to their territorial aggrandizements in 1815, which, like his, were mere conquests. He was not going to Spain till thus tempted; and, when he went to Bayonne, nearly all Spain invited him. The royal father and son left Spain to meet him there, and fell at his feet. The

nobility, clergy, and Spanish commonalty, united to ask him for a ruler; and, at first, appeared delighted with his choice. After the sanguinary suppression, on the 2d of May, 1808, of the revolt at Madrid, by Murat, of which our American guest, General Grouchy, was chief executioner, and the marvellous insurrection of all Spain, which followed that catastrophe; after Dupont's incredible surrender, and since all the French enormities, reverses, and their expulsion from Spain, history dwells on the *method* of Napoleon's defeated attempts there, as atrocious perfidy, and condemns its author as deserving of all he suffered at St. Helena. So general, well nigh universal and overwhelming is that condemnation, that even he himself, in part, joined in it, and it may be vain to endeavor to rescue him from some of the odium of the invasion of Spain, which, with the Duke of Enghein's execution, will remain, for ever, blots on his character. Still the circumstances hereinbefore summarily mentioned, show that the act was no more than most other acts of forcible aggrandizement, performed by every monarch, and when successful, vindicated by nearly all historians. The English bombardment of Copenhagen, in 1807, was much less justifiable than the French invasion of Spain in 1808. Whether Napoleon's policy would have been wiser if he had given Ferdinand the daughter of Lucien for a queen of Spain, and governed that country by a niece, instead of a brother, is mere conjecture. Considering his whole scheme of family royalties a pernicious mistake, nothing in the Spanish invasion is more censurable than all such transactions, with which history, sacred and profane, abounds; whose greatest demerit is want of success.

Napoleon's temptations to overaction, at that time, cannot be appreciated without adverting to the obscurity, contempt, and ignominy, into which the whole of the ancient royal family of France, his only competitors for the throne, had sunk. The despicable Count d'Artois, with his Condés, Bourbons, Polignaes, and other conspirators, had fallen into poverty-stricken inanition. The Duke of Orleans, hid, almost unknown, in a remote corner of Southern Italy. The Count of Lisle, as Louis XVIII. was called, long vagabond and outcast,

had become a pest. Russia, Prussia, Austria, and other continental powers, dreading Napoleon, and adulating him, treated the poor pretender to the French throne as if he were the Egyptian plague, or some other pestilence, which must be excluded from their dominions; and he escaped, at last, not into England, where he was not allowed even to land, but to Scotland, where he and his family were relegated. Driven hastily from Russia by the Emperor Paul, and transiently reinstated there by his son Alexander, Louis found refuge, at one time, in Warsaw, then the chief town of a Prussian province, where the King of Prussia asked Bonaparte if he had any objection to the pretender's remaining; to which the First Consul answered, kindly, as was his invariable treatment of the Bourbons, that he had no objection. Prussians, high in authority, probably with their government's consent, proposed to Louis, impoverished and abandoned, to abdicate the French crown for Italian principalities, which he positively refused, and of which proposal Bonaparte was uninformed. Louis, afterwards a fugitive at Verona, was compelled, or deemed it necessary, to fly thence in disguise. The whole continent of Europe becoming, at length, afraid of his residence anywhere, in 1809 he embarked, in a Swedish frigate, to seek sanctuary behind the sea-girt bulwarks of England, where his arrival was extremely unwelcome. Always bidding liberal concessions for royal restoration to what he uniformly called and deemed *his* throne, in 1804, by proclamation, he promised to reform the old French royal government; and by another proclamation, in 1806, went the length of granting pardon, oblivion, and confirmation to all the revolutionary acts from 1789 to 1804—to everything but the Empire and Napoleon. When he arrived in England, so forlorn was his destitute condition, and so formidable Napoleon, that the ministry refused to let Louis land, or go to London. He was ordered to Scotland, and, in effect, dethroned by an official order in Council, which, careful not to style him king, called him merely the "Chief of the Bourbon family, who will find an honorable and safe asylum, if he will live among us conformably to his actual situation. But as the war in which we are engaged requires the unanimous

support of the English people, we will not compromise it by imprudently taking ground which would give it a new character, and discourage the nation, when the submission of nearly the whole continent of Europe to the order of things existing in France presents fewer chances for the re-establishment of the Bourbons than at any other epoch of the revolutionary war, which Great Britain almost alone sustains." The dethroned and forlorn Bourbon pretender, landing in England the day that the Emperor Napoleon, in all his then enormous and delusive might, crossed the Pyrenees, on his way to subdue Spain into the government of his brother Joseph — protesting against, but obliged to submit to his hard fate, as simple Count of Lisle, was glad to accept the almost charitable hospitality of a proud but generous English nobleman, the Duke of Buckingham; and at one of his country-houses, Gosfield Hall, shrunk into the disfranchisement and insignificance, from which he would never have emerged, but for Napoleon's infatuation. To that desperate degradation had war, aristocratical and monarchical hostility, enabled Bonaparte to reduce the wretched Bourbons.

If Louis, instead of the hiding-place begrudged to his family in Scotland, had, like Louis Philippe and Joseph Bonaparte, when expelled, sought refuge in America, his sanctuary would have been more unintimidated. If the Bourbons had been expelled from thrones in France, Spain, and the Sicilies, it would have been useful to all those countries. At all events, Joseph Bonaparte is innocent of all but conciliatory and laudable means to accomplish his brother's design, which proved highly beneficial to Spain, by political and ecclesiastical reforms. Wise Spaniards regret that Joseph was not adopted as King of Spain. The *Memoirs of a Statesman*, inimical as that work is to all the Bonapartes, describes Joseph, on his entry into Naples, as "a well-disposed man, of mild manners, exempt from ambition, who would have preferred a peaceable existence to the brilliant condition allotted for him; a theorizing calculator in politics and in administration, by his conversation and writings protecting the industry and commerce, which his mere presence revived or put to flight." Regenera-

tion of Naples is eclipsed by such brilliant exploits as the victories of Napoleon; but impartial history must not be blinded by dazzling events. General Lamarque's published letters of 1824 and 1830, which Joseph, not without proper sensibility, has shown me at Point Breeze, recapitulated, as an eye-witness of his reforms in the Two Sicilies, feudality extinguished, robbery and general depredation crushed, a system of just, instead of unjust, taxation introduced, the finances from chaos brought to order, the nobles and people reconciled, the construction of good roads in all directions, the capital embellished, the army and navy organized, and general prosperity established, by King Joseph's carrying into that benighted kingdom the sunshine of the French liberal principles of 1789. Taken reluctantly from a crown of roses in Naples, to a crown of thorns in Spain, Joseph, on his arrival at Bayonne, was assured that Charles IV. refused to return to Spain without the Prince of Peace, who was universally detested; that Ferdinand, who had dethroned his father, was wholly untrustworthy, as a son dethroning his father was shocking to all Europe; that the junta assembled and united at Bayonne regarded Joseph's acceptance of the throne they proffered as the only safety for Spain; which Ferdinand was the first to confirm, by his congratulations to the new king. One of the earliest and most active of his Spanish enemies, Toreno, thus describes Joseph:

"Joseph Napoleon, after refusing the throne of Lombardy, which Napoleon offered him, governed the kingdom of Naples with adequate intelligence and success. In a tranquil period, and provided with sufficient authority, if not more legitimate, at least less odious in its origin, the intrusive monarch, far from dishonoring the throne, would have helped the happiness of Spain. Born of the common class, and having gone through all the overturnings of a great political revolution, he possessed essentially the knowledge of men and things. Of a gentle disposition, with a gracious countenance, well informed, polished, and polite in his manners, he would have captivated the Spaniards, if he had not beforehand so grievously wounded them in their point of honor and their pride. Moreover, Joseph's extreme propensity to effeminacy and pleasure somewhat ob-

scured his fine qualities, and gave rise to ridiculous fables and old women's stories of his person, which the multitude adopted in their passionate enmity. To such a point did this go, that, not satisfied with accusing him of being a drunkard and dissolute, it was carried so far as to accuse him of bodily defects, and they said he was blind of one eye. His fluent and flowery elocution of itself became very injurious to him; for, carried away by it, he risked himself by making speeches in a tongue not familiar to him, whose imprudent use, joined to the exaggerated report of his defects, induced the composition of popular farces, played in all the theatres of the kingdom, which contributed to throw on his person not hatred, but contempt, which, of all the sentiments of the soul, is the most terrible for him who desires to encircle his forehead with a crown. On the whole, Joseph, although endowed with many praiseworthy qualities, wanted those austere and warlike virtues then necessary in Spain; and his imperfections, feeble spots at any other time, swelled immeasurably in the eyes of an offended and furious nation."

The war in Spain between the French and Spanish was exterminating. Universal destruction of the French, by any means, was the Spanish method; universal pillage and rapine the French system, with rare exceptions on either side to that cruel code. Persons there at the time, on whose statements I can rely, mention abominable barbarities which seem incredible: all breaking forth on both sides, after the dreadful slaughter at Madrid, the 2d May, 1808, when Murat subdued and punished by sanguinary vengeance what he deemed, and probably truly, a revolt. After that, as I am assured by my informant, then in Madrid, women contracted the venereal disease on purpose to give it to the French, wells were filled with assassinated Frenchmen; and French officers of every rank robbed every thing and every where, with undisguised rapine. In the French Revolution there was more, but not more shocking, bloodshed; never in the world plunder and robbery so universal. The most distinguished exception to these enormities was King Joseph; against whom it is a common English and American prejudice to believe that he pilfered palaces and

churches, and that the pictures and other ornaments of his American residence were spoiliations from Spain. Like Napoleon, Joseph was no lover of money. Marrying some fortune, he was enabled during the revolution to increase it by cheap purchases of the property, both real and personal, which were then opportune. Valuable donations, on the several foreign missions he filled, added more, as is common in Europe on all such occasions. Several years king, his privy purse was considerable. By all these fair means his property increased, though never very large; not exceeding a million of dollars. While King of Spain, a person named Christophe, skilled in pictures, purchased them there for him, as opportunity offered. Not one of those he possessed was captured, or otherwise illegally obtained. On the contrary, the Duke of Wellington took all of King Joseph's baggage and effects at the battle of Vittoria, but found no ill-got plunder among them.

Entering Spain the 8th July, 1808, within a week of his arrival at Madrid tidings of Dupont's disastrous surrender of the French army at Baylen, caused by anxiety to save plunder, compelled King Joseph to retire from his capital, and begin his fatal contest with that peculiar people, for whose admirable and invincible, ferocious and romantic nationality, Joseph Bonaparte entertained the highest respect, which I have often heard him express. Insuperable provincial attachments, which in France and other countries it was the constant labor of Napoleon, by metropolitan centralization, to destroy, saved the whole Spanish kingdom from subjugation. Universal insurrection was simultaneous, from Asturias to Andalusia. The smallest of all the Spanish provinces, armed by nature with the superior aptitude for war and love of independence of mountain population, by instantaneous, instinctive resistance, with which all the other provinces sympathizing, roused the whole kingdom against its invaders. Notwithstanding a caste of proud nobility, and a class of domineering clergy, considerable equality is a Spanish popular right, habit, and power. As always takes place, when emergencies draw forth democratic patriotism, the notable and most respectable inhabitants, of all classes, were elected members of the provincial juntas, par-

ticularly in Asturias, superseding the merely noble, the merely vulgar, and otherwise unworthy, apt to contrive to be uppermost in the stagnation of democracy. Less selfish and more determined than royalty in capitals, rural democracy, also more prompt and energetic, verified Pitt's dying prophecy. The Spanish mountaineers, muleteers, shepherds, and populace altogether, rose as one man, armed with fury and whatever weapons it supplied, against Napoleon's disciplined armies. Although the nobility and higher clergy mostly gave in their adhesion to King Joseph, an unlettered and indolent mass, as described by Valleius Patereulus eighteen hundred years before, scattered, numerous, and fierce, rushed to conflict, with sanguinary ardor, for their rude homes, their captive sovereign, and their dominant religion. Whether they could have resisted Napoleon without English aid, is a question on which England and Spain are at issue. The Prince of Peace, in his memoirs, written during his retirement at Rome, by plausible reasons and multiplied proofs, insists that the French could never have subdued the Spanish alone. And Godoy was a man much superior to English and French adopting Spanish aristocratic disparagement of that upstart; liberal and intelligent, though more avaricious than ambitious, decried by the jealous nobility, over whom he was raised from obscurity. George W. Irving, a highly respectable gentleman, American minister in Spain during nearly all the war, thus answers my enquiry of him as to the reality of things there. "As to the works of Thiers and Torreno" (which I mentioned to him), "par nobilé of state vampires, it is difficult to say which of the two is *least* worthy of credit as authority. In the Prince of Peace, his *amour propre* apart, I have faith, for I knew him intimately. Whatever errors belonged to his incompetency as statesman, he was honest, frank, and loyal, and his amiable character had given to him popularity (the plebs there not being qualified censors of administrative faults), but for the influence and intrigues of the *grandees*, into whose ranks he had been *foisted*. If it is in public as in domestic affairs, that a favorite has no friends, much less has he when his ascen-

dancy humiliates, whilst usurping the hereditary authority and influence of the upper orders."

So jealous is Spanish independence of foreign help, that General Spencer and the English troops despatched from Gibraltar to Cadiz (with whom were the two Swiss regiments of De Watteville and Meuron, soon after employed in Canada) were not allowed to land, but obliged to go to Portugal; and when Lord Collingwood, with an English fleet, hastened to offer their services for the capture of the five French ships of the line near Cadiz, under Admiral Rosilly, the Spanish commander at Cadiz rejected the English co-operation, and compelled the French fleet to surrender to Spaniards alone. At the same time the Duke of Orleans (Louis Philippe), landing at Cadiz to obtain a command which had been promised to him in the Spanish forces, was not only peremptorily refused, but ordered to leave Spain forthwith, as he was forced to do. Neither English reinforcement, nor even Bourbon French command, did the Spanish authorities desire, except in funds and food, to enable them to resist the French invasion. English participation in the war began in Portugal, where the French army under Junot capitulated.

England did all she could to realize Pitt's prediction. On the same day that Napoleon proclaimed Joseph at Bayonne, 7th June, 1808, an agent from the province of Asturias was warmly welcomed in London by the minister, Canning, the parliament, and the people. There Wellington, animated by recollections of Pitt's description of Spanish nationality, began his victorious career, by a long succession of triumphs over the French, to dethrone, not only King Joseph in Madrid, but the Emperor Napoleon in Paris; to which result their Spanish invasion largely contributed.

Numerous works, Spanish, French and English, by partakers in it, describe the war in Spain, from 1808 to 1813, which my Sketch need not dwell upon; but, briefly noticing its political and moral results, cross the Atlantic with them, and present its greatest reaction, the emancipation of Spanish America from three hundred years of the strictest colonial servitude. Merely personal and dynastic interests, both Bourbon and Bo-

naparte, are insignificant, compared with those great political and moral consequences. The provincial juntas soon relinquished part of their national powers to a central junta, charged with the general welfare, whose manifesto, issued on the 28th of October, 1809, from Seville, truly premised that, by a combination of events, it seemed good to Providence that, in the terrible crisis, Spain should not advance a single step towards independence, without advancing one towards liberty. The stagnant, filthy pools in which the Spanish government wallowed, required a foreign and a giant hand to purify them. Disastrous as Napoleon's violence was to him and his family, it was necessary and beneficial to Spain. Provincial produced national agitation; and, in the midst of many French victories, not only was Joseph monarch of no more than where and while his armies of strangers were stationed, but competition between him and the juntas arose for popular favor, which soon restored, for the Spanish people, their antiquated representative government, much improved. In that contest of concession, all Spain, European, American, Asiatic, and African, was invited to elect deputies to a Cortes, which, on the 24th of September, 1810, was installed at Cadiz, when that beautiful city was the only sanctuary of Spanish independence from subjugation. All the rest of Spain was, for the moment, overrun by the French, the bombardment by whose forces besieging Cadiz, answered the cannon within its walls, saluting the inauguration of a body, whose dedication to free discussion more than repaid all the sufferings of all the conflict. For neither a Bourbon king nor a good king, but for a prisoner in France, who represented their established chief magistracy, the Cortes wisely and bravely swore allegiance to Ferdinand. Cadiz then, and Moscow, two years afterwards, in flames lighted by Russian bands, outshone Paris, when Fouché, Lafayette, and others, surrendered their capital, their chief magistrate, and their country, to conquerors, who inflicted a restoration worse than revolution.

In that concession to popular favor, to which every government in trouble resorts, the Cortes far outwent King Joseph. By the constitution which he granted, the Cortes was not a

dispenser of wholesome public sentiment, but a registry for royal decrees. Its sessions were to be secret. Whereas those of the Spanish Cortes were open, like Parliament and Congress. Joseph's constitution merely promised future freedom of the press. But the Spanish Cortes, on motion of Augustin Arguelles, granted it at once and unreservedly; so that the public journals of Cadiz proclaimed to all Spain and the world, that word of patriotic liberty, which is more potent than the sword of despotism. Various modifications of constitutional freedom and representative government have since followed those concessions of the Spanish Cortes. The church has been deprived of most of its inordinate control, for which reform Spain is mainly indebted to the Bonapartes, who found among the Spanish clergy great numbers of protestants against the foreign influence of the Pope and the abuses of the Inquisition. The State of Spain gained, from its Bourbon monarchs contending with Bonaparte, political reforms which range it, since the French invasion, among the representative governments of Europe. Regeneration of Spain, proclaimed by Joseph Bonaparte as the motive of his reign, resulted from the attempts, not indeed as he and Napoleon anticipated, but to an extent which more than redeems all its cost.

But it is Spanish America where the results have been most signal and momentous. King Joseph hastened to despatch agents over the Atlantic, to invite adhesion to his government; five of whom reached their destination, but none were received with favor, and one was executed in Cuba. At the same time, the Spanish patriots, as they were called, availed themselves of English proffers of vessels to reach America, without loss of time, by prosperous voyages; on whose arrival, bursts of unanimous attachment to the mother country, and indignation against its French invaders, broke forth from all parts of Spanish America. Buenos Ayres, Peru, Chili, New Grenada, Mexico, Florida, the islands, Cuba, Porto Rico, and Spanish part of St. Domingo, at once proclaimed their adhesion to the imprisoned King Ferdinand. Never did so many people, in such remote and distant parts of the world, all at once rise up together in glorious and zealous communion of patriotism.

Spanish-American independence had been long prepared by many causes. Fourteen millions of people in Spanish South America, seven millions in Mexico, with some more in Cuba, Porto Rico, the Spanish part of St. Domingo, and Florida, were too many to be held in servitude by thirteen millions of Spaniards in another hemisphere, whose policy and methods of colonial government were contrary to all modern ideas of political economy and commercial welfare. Not only was all the commerce of the exuberant Spanish colonies confined to Spain alone, but to one port in Spain—Seville or Cadiz. Not only were all the public offices in the colonies filled by European Spaniards, but many of them were needy adventurers, commissioned to repair broken fortunes by rapacity and oppression, against whose extortions complaint was worse than useless, for it was dangerous. After the French invasion of Spain, the crowds of such odious taskmasters increased by its convulsions. Such usages were not, however, peculiar to Spanish colonial government, but common to all European countries having American colonies; prevalent in Canada, under British rule, till very lately. The independence and rapid development of this country, the French Revolution and its vast influences, commercial restrictions, American exclusion from office, all combined to inspire the Spanish-American creoles with hopes and plans of emancipation. As soon as war was declared between Spain, as the ally of France, and England, in 1796, Miranda, a native of Venezuela, with a Spaniard named Picornel, attempted revolution at Caraccas, which failed, Humboldt said, because then the opinion of Spanish America respecting the mother country was not what French and English books had taught in the capital of Mexico. But those lessons were abroad throughout America; and when the French invaded and apparently conquered Spain, in 1808-9-10, French conquests in Spain rendered it necessary that American Spaniards should take care of themselves. Although colonists seemed to have no option but between independence and submission to French government, still, when setting up for themselves, far from declaring war against, they proclaimed fraternization with Spain, allegiance to Ferdinand

as their lawful sovereign, and implacable hostility to his French conqueror and jailor.

It was not till the Bourbons reigned in Spain that her Spanish colonies were treated as slaves. Charles V. had provided that the discoverers, settlers, and those born in America, should be preferred before all others for offices of state, church, and jurisprudence; that the natives should be deemed freemen and vassals of the crown; the colonies an integral part of the Spanish monarchy; and that no law of Spain should be binding on the colonies unless sanctioned by their representatives, the Council of the Indies. Such liberal provisions might have prevented, at all events postponed, revolt. But cupidity, monopoly, speculation, and extortion, triumphed over all wholesome regulations, and the Spanish-American proconsulates were probably the grossest misgovernments in Christendom; especially under Charles IV., when it was said that every office in America was sold. Of the one hundred and sixty viceroys preceding the revolutions, all but four were Spaniards by birth, and those four educated and strongly connected in Spain. The creoles were therefore ripe for independence of such misgovernment when the Bonapartes gave the signal for it, by their attempt to dethrone the Bourbons, whose abuses for more than a century had impoverished, insulted, degraded, and outraged their faithful American subjects. Yet they did not revolt against the Bourbons, but against the Bonapartes; and eventual emancipation of regions ninety-two degrees of latitude in extent, embracing more than two millions of miles square, and abounding in all the elements of national wealth, power, and prosperity, except liberty and industry, is due to Spanish persistence, after Spain was invaded by the French, in the old system of colonial oppression, and Spanish endeavor to transfer the colonies to French government.

Though first tidings of that invasion was received in America by one universal and unanimous acclaim of allegiance to the old Spanish government, yet, as its extreme follies, imbecility, and mismanagement became more apparent, the educated Spaniards, civil, ecclesiastical, and military, yielding to the French, and resistance to them being left as the task of

the common people, the great body of American Spaniards, in nearly every province governed by weak and unworthy Spanish agents, turned their attention to independence, though still without disloyalty to Spain. Their causes for revolt were much greater than those of the British-American colonies in 1775. But as Spain, in 1808, was in trouble and war, whereas England, in 1775, was at peace and prosperous, it seemed to be befitting Spanish colonial honor not to take advantage of the distressed condition of the mother country, in order to throw her off entirely, but rather to begin the movement toward independence by alliance offensive and defensive with Spain against her French invaders. Except by the people represented by provincial assemblies, and finally by the Congress, a parliament called Cortez, elected by the people, which succeeded the other concentrations of public will, Spain was feebly vindicated and inefficiently marshalled. The Central Junta was expelled from Seville, then the seat of the national government, by the French, who subdued all Andalusia. A regency which was established, proved not only incapable to govern, but unworthy of any confidence. On the 17th April, 1810, they published a royal order, throwing open the commerce of the colonies with foreign countries and with Europe. But as Cadiz, till then entitled to the monopoly of colonial trade, remonstrated, not only was the royal order revoked, but it was denied that it had ever been granted, though it had been published more than a month when revoked. The regency then sent a respectable, but aged and inexperienced, commissioner, Cortavarria, to America, who was assisted by the Marquis of Casa Yrujo, former Spanish minister here, and who married in this country, then at Brazil, in the circulation of advice, promises, and caution throughout Spanish America. But the promises were faint, the concessions inconsiderable, and the general inclination throughout nearly all the colonies for independence too decided to be counteracted by such means. Remote from each other, and without much facility for intercourse, they nevertheless agreed in desire and determination for self-government.

On the 19th April, 1810, insurrection began at Caraccas, chief city of the north of South America. On the 13th May,

1810, on being informed, by the arrival of an English vessel at Montevideo, that the French were in possession of all Andalusia, and the Central Junta driven from Seville, Buenos Ayres followed Caraccas. On the 22d July, 1810, Granada organized her Supreme Junta, and deposed the Spanish viceroy, as Santa Fé and Quito, and all the other provinces, did theirs, except Peru. Excepting Peru, Cuba, and Porto Rico, where Spanish authority continued, and Mexico, where it triumphed over the revolt attempted, all the Spanish-American colonies declared their independence of Spain, but without hostility to her. On the contrary, their emancipation, complaining of no wrongs suffered or grievances to be redressed, predicated necessity for the colonies to take care of themselves, their allegiance to Ferdinand, their alliance with Spain, and their hostility to her French invaders. The federative government of Venezuela, by their manifesto, announced, that with a population of nine millions, and an extent of fertile territory superior to any empire in the world, they were determined to submit no longer to the domination of any European or foreign power whatever. Loyal and faithful to a lawful government, while it subsisted in Spain, to save themselves from the yoke of the French Emperor, the Spanish provinces declared themselves a free, sovereign, and independent people. The La Plata manifesto breathed the same spirit, about the same time.

In Mexico, the people received news of the French invasion with cries of devotion to Ferdinand and resistance to Napoleon. But emissaries from King Joseph, with orders from Ferdinand to transfer Mexican allegiance from him to Joseph, were sustained by the European Spaniards in Mexico, which the creoles resisted; resolved, as they were generally throughout all Spanish America during the troubles of their mother country, to hold its American possessions for the lawful sovereigns, by whom they had been so ill treated. In Spain, the regency declared war against the prudent and inoffensive American movement of the colonies towards independence, which, in the course of a few months, without concert, simultaneously united nearly all Spanish America to vindicate themselves from French dominion. The Spanish-Americans adhered to King

Joseph, while the Americans persisted in loyalty to Ferdinand, who transferred them to Joseph. To provide against that strange perversion, Iturrigaray, the Viceroy of Mexico, suggested the calling of a junta from all the Mexican provinces, to consist of Spaniards and creoles, to save the country from civil war and French control. To prevent such an assembly, the Spaniards revolted against Iturrigaray, seized him on the night of the 15th September, 1808, and sent him to Spain. His successor, Vaneegas, proceeding in the same course, a conspiracy was organized by the clergy and lawyers throughout nearly all the towns of Mexico, which, being betrayed when about to act, produced the revolt headed by the priest Hidalgo, who, with a crowd of more than a hundred thousand followers, but nearly all without fire-arms, having not more than a thousand muskets, attacked the city of Mexico, were defeated with great and cruel slaughter, Hidalgo executed, and that military ascendancy maintained which has been ever since the curse of Mexico.

Such was the state of things when the Cortez assembled at Cadiz, in September, 1810; where every one of the American members, and a majority of the whole body, were imbued with the principles of progressive free government. That great advance in the way of representative institutions was an early step of the reaction, for which Spain and mankind are indebted to the contest between Bourbon and Bonaparte kings, for the establishment of much more limited and absolute monarchy. From that time to this the Spanish monarchy has been a representative government, with a legislative department, the antiquated Cortez, then first reinstated, and much better endowed than before that partial representation of the Spanish people fell into desuetude. It had been in fact nullified by absolute monarchy, which now depends on it for supplies, and is accustomed to hear the people eloquently addressed from its tribunal. On motion of an American member from Santa Fé de Bogota, the Cortez, on the 25th September, 1810, went into secret session on Spanish-American affairs. Their deliberations resulted, on the 15th October, in a decree, which equalized the rights of the Americans with the old Spaniards, and

granted a general amnesty, without restriction. Other concessions followed, from time to time, but too late to reconcile the mother country and colonies, after civil war among the colonists sprang from the war which Spain waged against her American adherents. European Spaniards, called loyalists, and American Spaniards or creoles, styled independents and patriots, during several years of conflict, vicissitudes, and commotions, contended for mastery. The breach continually widened; but, while old Spain was roused to representative government, the march of all Spanish America to not only independence, but republicanism, after the example of the British American colonies, was constant and irresistible. The general European opinion formerly, that every thing European degenerates in America, has undergone reversal, since the British colonies became independent. Freedom and republican institutions throughout all the American hemisphere, except the empire of Brazil, where monarchy is much changed from its Portuguese establishment, are ends of infinitely greater importance than the wars and changes by whose means Bourbons and Bonapartes agitated Europe and America, though history dwells on the means with more gratification than the ends. Calm consideration and perhaps longer time are necessary to appreciate the American results from an attempt to substitute a Bonaparte for a Bourbon on the Spanish throne. And the European means employed to effect that end are more pleasant materials for the romance of history. But philosophy will consider Napoleon the great, and his august Bourbon victims as all of them mere instruments of overruling Providence for reforming the government of Spain and republicanizing that of Spanish America. Even colonized America was more necessary to Europe than Europe to America. The precious metals which constitute European currency, most of the cotton which clothes Europe, iron, and other materials of first necessity, abounding in America more than in Europe, sugar, coffee, and other luxuries which America has rendered necessities in Europe, but more than all, self-government exemplified to Europe by America, have so changed the relations of the old world to the new, that American colonies

of Europe must soon cease to exist. Dependence of Europe on America is continually substituted for dependence of America on Europe, which is every day more felt and acknowledged. While Napoleon, by an Austrian princess corroborating his dynasty, annexing the Papal States and Holland to France, by his marshals Suchet and Massena triumphing in Spain and Portugal, seemed to be irresistibly forcing his brother on the Spanish throne, the Spanish provinces which formed the American confederation of Venezuela, in April of that same year, 1810, set up a government to endure, in a country to prosper, long after the vast empire of a modern Charlemagne crumbled to ruins.

Invasion of Russia, superadded to that of Spain, was warfare vaster than the modern Charlemagne could compass. The six weeks lost by loitering at Moscow, coaxing peace, let loose the severities of a premature northern winter, to destroy his army. Next spring, the battles of Lutzen and Bautzen, with forces replenished by young conscripts, preluded the armistice of Plesswitz, pernicious, like the delay at Moscow. Napoleon's naked sword, never parried, was foiled, in the scabbard, by Metternich's pen. King Joseph's total defeat at Vittoria, on the 21st of June, 1813, while Napoleon was deluded by the Congress of Prague he solicited at Dresden, was a knell rung for all his allies to join his enemies. And his fall was as rapid as his rise. The sixth coalition organized for his overthrow consisted of potentates, all of them as rapacious as he of aggrandisement. Austria made war on him for Italy, Prussia for Hanover, Spain threatened it, Russia waged it for Poland, Sweden for Norway, England for the dominion of the seas and large parts of the earth. They had all, except England, acknowledged his brother as King of Spain, his brother-in-law as King of Naples, another brother as King of Westphalia, a sister as sovereign of Tuscany, and a step-son as Viceroy of Italy. But if they were aggressors, the end crowned their means with the justification of success. From the rupture of the peace of Amiens, which was entirely an English act, to the Congress of Vienna, when the spoils of the French Empire were distributed, it would not be easy to say

which government was most aggressive and grasping. Napoleon's seizure of Spain was not more unjustifiable than the English bombardment of Copenhagen and capture of the Danish fleet there. The British orders in Council, French Berlin and Milan decrees, which forced this country into the general conflagration of hostilities, were all stupendous infractions of right. But Bonaparte's sudden and violent apparition in all these transactions, enabled what was called legitimate government to denounce him, when overthrown, as chief wrongdoer. All Europe, most of America, some of Africa and Asia, were involved in perpetual conflict on his account. When the monarchs were all defeated, and their capitals captured by him, as a last resort, they called in the people to their rescue, and promised them, for their help, a share in government. Napoleon then confessed to his confidants that his dictatorship had been continued too long. A million of men, in arms, chased him from Leipsic to Paris; their principal chief, the Emperor Alexander, proclaiming that Napoleon alone was their object, and should be their only victim, without dismemberment or even degradation of France. Two other eminent French generals accompanied the invaders; and though Moreau was killed, Bernadotte survived to be crowned Emperor of the French, if Alexander could effect his substitution for Napoleon. When the invaders broke through Switzerland, and otherwise into France, German monarchy and aristocracy were enthusiastically supported by democracy, and Napoleon's best, if not only chance, was to let loose the French democracy against that of Germany.

But though never a sanguinary ruler, delighting in no bloodshed but that of battle, and having established equality as the basis of his sovereignty, he had, in eight years of military domination, entirely suppressed liberty; and returned to Paris, the defeated and most formidable despot in the world. The press was enslaved. A terrible police prevailed. The only public bodies established by the constitution, the Senate, the Council of State, and the Legislature, were all reduced by him to mere silent registries of his imperial will. On the 19th of August, 1807, discussion, till then lawful and usual, was

interdicted in the Legislature by a decree of the Senate. During several years, there was no public sentiment but what the Emperor allowed or fabricated. When driven back to Paris, to call for the spirit and resources of the nation, pursued by the roused people of other nations, the French monarch not only persisted in refusing, but aggravated his exclusion of the community from all part in public affairs; though such was not merely his fame, but his popularity, that not a French province, town, or place, rose against him. All France, except his marshals and ministers, remained faithful to his tyrannical government; to his, which was their great glory; to his person, as their chosen representative of the nation. If he had permitted Paris, Lyons, other great towns and the rural population every where to be armed and fight, they would have defended him from the foreigners with invincible ardor. If he had trusted them, they would not have suffered him to be dethroned. Next year, on his return from Elba, he proffered popular rights, when it was too late. In 1813, he not only withheld and refused them, but spurned, insulted, and abused their representatives in the government.

His sole reliance was military and arbitrary — on his armies and himself. With a hundred thousand troops shut up, far from France, in various German garrisons, ninety thousand in Spain, and but about sixty thousand at his own command in France, long estranged from all popular reliances, he trusted to those alone who surrounded, flattered, betrayed and surrendered him. The people would never have deserted him. They never did. The Bourbons, insignificant and contemptible competitors, had scarcely any supporters but the English government; next to none in France; none at all in the armies led by the Emperor of Russia, King of Prussia, and Prince Swartzenburg. Napoleon was dethroned by his own servants, his family kings, marshals and ministers; those whom, as he truly said, he had gorged with wealth and honors. Truce was scarcely announced, on the 10th of August, 1813, when, on the 15th of that month, began that series of desertions, by his military and royal creatures, which, from Jomini to Bourmont, continually undermined a throne, by its upstart occupant as con-

stantly denied popular support. Jomini, the Swiss adjutant-general of Ney's corps, concentrating at Lignitz, in Germany, was the first to go over to the enemy, seduced by an aid-de-camp of the Emperor Alexander. A much more important personage, Murat, the King of Naples, soon followed. From the disasters in Russia, apprehending that his imperial patron's throne was in danger, Murat deserted his post in the retreat from Moscow, and withdrew to Naples, to intrigue with the British and Austrian governments for his defection from Napoleon, and reward by his enemies. After the battles of Lutzen and Bautzen, next year, Napoleon recalled him to resume command of the French cavalry. Napoleon's disasters recommenced with the capture of Vandamme and his force at Culm, a large, handsome, rough Brabant soldier, whom we had in this country. The immense defeat of the French at Leipsic was caused by whole corps of Saxon and Wirtemberg troops deserting from the French to their enemies, in the heat of the battle. Bernadotte, Joseph Bonaparte's brother-in-law, indebted for his Swedish crown principedom to Napoleon, was maintained in that position by the coalesced monarchs: and why should not another still nearer connexion of the Bonaparte family, in the same way, try to secure his Sicilian throne? King Murat's Grand Equerry, the Duke of Rocca Romana, was despatched from Naples, where Fouché was, to Murat's head-quarters; and on Napoleon's retreat from Germany to France, Murat again deserted, hastened to Naples, and consummated his alliance with the allies, by treaties, in January, 1814; one with Austria, another with England. By occupying the papal states, commanded by General Miollis, long an inhabitant of this country, Murat gave the most fatal blow to his brother-in-law's empire, reign and dynasty; for which royal high treason, his punishment was severely condign. After Napoleon's second abdication and final dethronement, next year, his King of Naples was driven from the throne by the same King Ferdinand whom Joseph had expelled from it in 1806. Murat absconded, lurking through various hiding-places in France, Corsica and Sicily; the royal and brilliant coxcomb, long as remarkable for fantastic foppery of dress as for

romantic valor, concealing his handsome person under many strange disguises, lived in caverns and holes covered with branches, and fled nightly from one hiding-place to another, till betrayed, at last, by his own aid-de-camp, he was tried by a court-martial, consisting of officers of his own creation, and shot, on the 13th of October, 1815, by force of one of the most atrocious of all the Bourbon royal barbarities. King Ferdinand's order, convoking the court-martial to try King Murat, directed that no more than half an hour should be allowed the *condemned* for religious consolation; which infernal anticipation of the judgment exceeds, in Bourbon barbarity, the worst cruelty ever even imputed to Bonaparte. One of the certainly precipitate executioners of the Duke of Enghein, Murat's sacrifice surpassed that of the Bourbon prince in ignominious and remorseless despatch.

The first throne on which Napoleon seated a brother, fell by a brother-in-law's preference of a throne to his brother.

About the time when King Murat, by reaction of traitorous defection, restored that throne to the least respectable of the many dethroned Bourbons, another of Napoleon's family thrones fell, in an instant, like a card-house. A party of Cossacks unexpectedly galloped into Cassel, capital of the kingdom of Westphalia; whence King Jerome, completely surprised and overpowered, instantly fled, and his kingdom of Westphalia vanished in a day, without a struggle. Not long after, what remained in Holland of King Louis's kingdom was, by the Dutch, restored to the Prince of Orange, in spite of Louis's despised protest that it belonged to the son in whose favor he abdicated. Eliza and her husband were soon stripped of their Tuscan principality. On the 11th of December, 1813, Ferdinand was released from his several years' imprisonment at Talleyrand's country residence, Valençay, and restored to Spain, of which Joseph resigned the kingdom. Thus, in a short time, Napoleon's family crowns were all wrested from him, and his vast empire reduced to France, invaded by a million of exasperated enemies to dethrone him. As a military chieftain, his efforts to prevent that result were prodigious; but so much at variance with the free spirit which, in 1789, arose in France,

and, in 1799, put him at the head of the government, that he proved a blind instrument of reviving, by reaction, the freedom he put, but could not keep down.

On the 9th November, 1813, driven back to Paris, demoralized and infuriated, instead of appealing, as the monarchs of Germany in tribulation all had, with large entreaties and promises, to their people for support, the French Emperor's address to his Council of State denounced those he had long stigmatized as idealogists, men thinking for themselves, to whom he attributed all the French calamities, and the reign of terror, which he abhorred as a reign of blood. The idealogists found laws on dark subtleties, he said; proclaim insurrection as a duty; adulate the people by proclaiming their sovereignty, who are incapable of its exercise. Convoking the Senate and Legislative Body, in order to submit to them the terms of peace proposed, finding it indispensable in that supreme crisis to enlist popular sympathy, thereby to raise men and money, yet Napoleon fatally proved, what a greater revolutionist, Voltaire, had said, that military despotism is not a form, but subversion of government, which, after destroying every thing else, destroys itself; a colossus which falls as soon as its arm is no longer uplifted. Suspecting his enemies, especially the English, of hostile designs against him personally, they had fixed, he said, their rendezvous at his tomb; and, thinking the lion dead, every ass wanted to give him a kick. Talleyrand and Fouché were, as ever, principal advisers: Fouché objected to popular concessions, Talleyrand suggested dividing the coalition by offering to make the Duke of Wellington king of England.

Commissioners, despatched into the departments to ascertain and rouse popular patriotism, found the people quiet and well disposed. but exhausted by war, and universally anxious for peace. If the Emperor had then conceded to the Legislature what, after his return from Elba, he proffered, probably the invaders would have been repulsed, as they were twenty years before, when all France rose as one man by spontaneous union of freemen. After two hundred and fifty-four members of the

Legislative Body from all parts of the country, fresh from the people, had arrived in Paris, well inclined to the Emperor, ardent for resistance of the enemy, but disposed to revive some of the long-suppressed principles of representative government, — though without treachery or Bourbon tendency among them, — Napoleon, for some time, would not let them assemble and organize, but kept them breathing and brooding discontent in the capital, agitated by hourly tidings of the approaching enemy. When at last they were permitted to assemble, the Emperor's communication to them of the proposed terms of peace was reserved and unsatisfactory. In their selection, therefore, of the committee to report the address to the crown, courtiers were excluded, and men chosen of well-known independence, moderation, firmness, and patriotism; with whom the Emperor should have been satisfied, for they and their sentiments were sympathetic with popular ardor and national strength. France was stronger, said Regnault de St. Jean d'Angely, than in 1792, when the Prussian invasion was repelled, or in 1799, when the Russian was discomfited. Napoleon had all, and more than all, the same resources in his hands, except the republican spirit, which alone was wanting.

One of the members of the Legislature, Lainé, a Bourdeaux lawyer, known to be of republican inclinations, was, on that account, suspected as a revolutionist by those around the Emperor's person, from whom he had contracted the unavoidable bad executive habit of receiving theirs as public sentiment. After animated discussion in committee, but not allowed public debate, a report was presented and adopted by the large majority of 203 votes to 51, which entreated his imperial majesty to maintain the entire and constant execution of laws guaranteeing to Frenchmen the rights of liberty, safety, and property, and to the nation the free exercise of its political rights. It seems incredible that such generalities, in harmless phrases, should have offended and alarmed the Emperor. But, as the invaders were on their march to Paris, and, on the 31st December, 1813, the army of Schwartzenberg broke through Switzerland, on its way, Napoleon summoned his council, who

advised that such language, at that time, was seditious. It is no time, said the Emperor, when the national existence is menaced, to talk about constitutions and the rights of the people. On the 31st December, 1813, therefore, the Legislature was dissolved, after three days session, and the few copies of the report printed for the use of the members seized by imperial order, and destroyed. Next day, when all the public authorities, as usual on the first of the year, waited on the sovereign, with complimentary addresses, and the Legislative Body, among the rest, presented themselves at the foot of the throne, the Emperor, going down from it, approaching and angrily accosting them, by harsh, coarse language, uttered in the most offensive manner, rejected, defied, insulted, and abused the popular sentiment.

“Eleven-twelfths of you are good men, but the rest factionists,” he said, fiercely. “You might have done good; you have done harm. I called on you to help me; instead of which you comfort the foreigners. Your committee has been led by English agents. Your M. Lainé is a bad fellow; the loss of two battles in France would not do as much mischief as his report. I needed consolation; you cover me with mud. That is not the way to elevate the throne. What is a throne, but bits of wood covered with a strip of velvet? The throne is in the nation; and don’t you know that I represent it above all—I, who have been four times raised to the head of it by five millions of votes? I represent it with a title. You have none; you are but representatives of the departments. Is this the time for your remonstrances, when two hundred thousand Cossacks are crossing the frontiers? Is this the time to talk of individual liberty, when the national liberty is at stake? Your idealogues demand guarantees against power, when France wants them only against the enemy. If not satisfied with the constitution, you should have demanded another four months ago; or two years after we get peace. Why talk before all Europe of domestic grievances? Dirty clothes should be washed at home. You want to imitate the Constituent As-

sembly, and make a revolution. But I shall not imitate the king that then was ; I'd rather abandon the throne, and make one of the sovereign people, than be a king-slave."

Such vulgar and insulting treatment was more offensive than oppression, for people will bear that rather than insult. With transcendant talents, generally polite and captivating manners, on that occasion, irritated, mortified, and alarmed beyond endurance or acknowledgment, Napoleon *played* the tyrant even more than he had ever really performed it. Several men of note, one of them a member of the Legislature, representing the Geneva district, were ordered to leave his presence ; but Lainé, the chief author of the legislative report which gave so much offence, who, though advised not to venture into the Emperor's presence, manfully went, was not noticed. Not a word of reproach was addressed to him by the mighty master, maddened by reverses, after years of infatuating success, power, and adulation. If, as he began his mad speech by saying, eleven-twelfths of the Legislature were good men, what folly to insult them all by passionate reproaches, which were intended but for a small fraction ! The argument of the imperial invective, no doubt premeditated, though spoken hastily, is forcible that the crisis was fitter for action than remonstrance. But when has liberty a chance for recovery from oppression, except in such conjunctures, as next year Napoleon, attempting the restoration of his reign, conceded. In 1814, his iron will, inflamed by pride and passion to white heat, struck from the heart eloquent reproach, which his own cooler judgment, in 1815, condemned. Impolitic and undignified ebullition of temper, however, indicative of the genius which ruled most of the world, chastened by a year's banishment from power, was followed by competition between Napoleon and Louis XVIII., bidding concessions for a crown, which reconstructed gradually the foundations laid in 1789.

In a few days after that outbreak the Emperor left Paris, to take command of his army for the defence of France, when the number and proportions of the hostile forces were thus enumerated :

Allied army under Schwartzenberg.....	190,000
Army of Silesia, under Blucher.....	160,000
Army of the North, under Bernadotte.....	130,000
Dutch corps, 12,000; English in Belgium.....	8,000
German reserve forming.....	80,000
Austrian reserve forming on the Inn.....	50,000
Russian reserve forming in Poland.....	60,000
Troops of the Allies blockading French garrisons in various places	100,000
Austrian army in Italy under Bellegarde.....	70,000
English, Spanish, Portuguese, Sicilians, and Sardinians, under Wellington.....	140,000
	<hr/>
	1,000,000

A million of regular soldiers, besides the German militia (landwehr) and mass of armed levies of peasants and townspeople (landstrum), the Spanish guerrillas, and other irregular forces, all of which were extremely injurious to the retreating French. And from this enumeration are excluded, also, Murat's army of 25,000 Neapolitans, in the Papal States, and a body of 15,000 Sicilians, under the English.

To oppose such hordes of enemies, Napoleon had not more than 350,000 soldiers; of whom scarce 100,000 were at his disposition. 100,000 were shut up in various distant fortresses; 90,000 were in Spain, under Soult and Suchet; 50,000 in Italy, under Eugene Beauharnois; leaving about 120,000 under Marshals Macdonald, Marmont, Mortier, Victor, Ney, and Augereau, in various parts of France, of which the Emperor never had more than 60,000 together, under his immediate command.

After a short winter campaign, in which his military superiority to all other commanders was more than ever signalized, with scarcely more than one man to five, he defeated the Russians under Sacken, the Prussians under Blucher, and the Austrians under Schwartzenberg, in several bloody battles, in which nothing was more remarkable than the heroic courage and devotion of the fresh, half-armed recruits and national guards; proving that if the whole population had been called out, they would have nobly contested every inch of ground, and probably saved the master afraid to trust them, fighting, himself,

indeed, like a lion at bay, joining in the charges, exposing his person to every risk, and fulfilling all the duties of a common soldier as well as great captain. At last, on the 5th March, 1814, an imperial decree, dated at Fismes, authorized, what ought to have been invoked long before, the whole population of France to arm, sound the tocsin, ransack the woods, cut down the bridges, barricade the roads, and fall on the invaders wherever found. Instead of exclusive reliance on enriched marshals, ministers, and flatterers, jaded and dispirited soldiers, Napoleon at last, when too late, recurred to the patriotic enthusiasm of the people, and proclaimed their sovereignty, who were so lately declared incapable of its exercise.

On the 25th January, 1814, when he left Paris to take command of his army, the Emperor was saluted, on the way to head-quarters, by continual cheers for himself, and cries of "Down with the consolidated taxes." For the French people, oppressed by despotic government, and delighted by its prodigious glory, were nevertheless much more alive to their rights, liberties, and welfare, than is commonly acknowledged by those English and even French accounts which characterize them to us Americans. Throughout the last few days of January, and all February, battles and negotiations succeeded each other rapidly, terms of peace or truce varying from day to day, according to the events of the conflict, most of the battles being favorable to the French. Troops that had never seen service, just recruited, not clothed, hardly armed, some of them Vendéans, fought with a cheerful and admirable spirit, under the Emperor with whom their love of country was associated. Schwartzberg, Blucher, Prussians, Austrians, and Russians, were worsted, and their leaders driven back much discouraged, till, on the 1st of March, 1814, at Chaumont, Lord Castlereagh, by treaty, doubled the subsidies, raised to more than twenty millions of dollars a year, for the three great continental stipendiaries, who therefore bound themselves, the whole four to each other, to keep up large armies, prosecute the war, and make no peace till France was reduced to the limits of 1789. Soon after that time negotiation ceased with Napoleon; the scabbards on both sides were thrown away, and

the immense army of invasion was united to move toward Paris. Still, as soon as they got together, the leaders hesitated, and during near two days the question was discussed, whether to advance or retreat. The Austrian generalissimo, Schwartzenberg, and the King of Prussia were for retreating, the Emperor Alexander strenuous for advancing. The Emperor of Austria withdrew from the army, with only two attendants, and retired to the south of France, fearful not only of the event, but whether he should, if he could, overthrow his daughter's husband and grandson's father. Sir Robert Wilson said the Allies found themselves in a vicious circle, from which it was impossible to escape, unless defection came to their relief; obliged to retire, yet unable to retreat; and defection took place when Bonaparte seemed to be beyond the reach of fortune.

By their march upon Paris, when resolved upon, Napoleon's superior officers were dismayed, as their hesitating assailants had been. Paris was their country, their palladium. Their gorgeous palaces and gilded halls; their honors, titles, and opulence; their great master's bounties, their luxuries, pleasures, and vanity, were Parisian. As Napoleon's family thrones in Naples, Westphalia, and Spain, were primary causes of his ruin, so the titles, riches, and splendors, with which he surrounded his own throne by upstarts, were fatal impulses of his ruin's sudden and rapid consummation. Neither soldiery nor people deserted or betrayed the commander whom a bastard aristocracy sacrificed to save themselves. Several days were lost in reasoning with these remonstrants, whom then he dared not overrule, as he did the Legislative Body. If he had rebuked and dismissed the aristocracy of his monarchy as he did the representatives of the democracy, he might have rescued France and his family from impending ruin. But the only sentiment besides his own that he ever heard was that of the courtiers he kept at his footstool; and it is a fact of great significance, that from the first step to the last of his downfall, no great man of his empire, without regard to himself, strove to save its founder. Individual plebeians might have been as selfish or worse, but the mass had no mo-

tive except to save the country, which was themselves. Napoleon's bold and wise plan was to lead his sixty thousand men into Germany. "I am as near Munich," said he, "as they are to Paris." A hundred thousand veteran French troops might have joined him from German garrisons; Berlin and Vienna lay unprotected, at his mercy. Soult and Suchet could bring ninety thousand from Spain, to employ Wellington; Eugene Beauharnois twenty-five thousand from Italy. But the Emperor's plans were frustrated, when disarmed by his superior officers, who almost revolted against marching anywhere, but to rescue their homes and preserve their establishments. By their complaints and remonstrances, after several days lost in dealing with, not venturing to overrule them, he was constrained to follow the allied armies toward Paris, after they had got some days march ahead of him. Before he could reach Paris, his lieutenant, Joseph, as he considered by the Emperor's direction, sent the Empress and her son out of Paris, and authorized Marshals Marmont and Mortier, who commanded there, to capitulate, on the afternoon of the 30th March, 1814.

There were not twenty-five thousand armed men, regulars and irregulars, all told, for the defence of Paris, against at least five times that number of assailants. There was a deficiency of muskets, and the powder gave out. More than all, I am assured, by one present and familiar with all the circumstances of the surrender of Paris, that there was a total want of popular spirit to defend that capital. Marmont, whose most glorious exploits were performed there, and Mortier, associated with him in command, did all that the bravest soldier-ship could, destroyed, the French say, more of the allied troops, killed, wounded, or captured, during that attack, than the whole French force engaged, viz., thirteen or fourteen thousand men. The battle of Paris, in March, resembled, in some respects, the battle of Bladensburg, in August of that year. The capital of the best-armed and most martial nation in the world was, relatively, as ill provided for resistance, either materially or in spirit, as that of the least belligerent or prepared people. Paris was as little fortified as Washington.

Trifling circumstances might have defeated the allies at Paris, and the English at Washington. Joseph Bonaparte in many battles, Jerome at Waterloo, proved that no bodily fear deterred them from heroic efforts. Yet I wish I could vindicate them, particularly the Emperor's lieutenant, Joseph, from hasty and injudicious, certainly unfortunate, capitulation. At the meeting of Council, on the night of the 28th of March, 1814, after nearly all present spoke against the Empress-Regent, Maria Louisa, with her son, leaving Paris, against which even Talleyrand protested, Joseph at last produced and read the Emperor's letter of the 16th of March, then two weeks old, commanding that unfortunate evacuation. Joseph, throughout his life, had always yielded implicit, almost passive obedience to his younger brother Napoleon. Maria Louisa, a young wife, without decision of character, was equally submissive. With American ideas of personal independence, French impressions seem strange, of the absolute necessity of passive obedience. That Joseph, himself, deemed it injudicious, was proved by his and Cambacères following the Empress, after the Council broke up, at two o'clock at night, into her apartment, requesting her to take the responsibility of disobeying her husband's order, which she naturally and justifiably declined doing; but with manifest anxiety that they should advise it, when she would have readily consented, on their responsibility. Clarke, the minister of war, one of the Emperor's least meritorious dukes (of Feltre), urged her going, even before Joseph produced his brother's fatal order: from that time till she at last went, continually sending repeated messages that she had not a moment to lose; her departure or capture by the Cossacks being the only alternatives. As she went, the little King of Rome betrayed his infant resistance by loud cries, and clinging to the stair-way, from which it was necessary to force his grasp. A disconsolate cavalcade of coaches, with the imperial arms on their pannels, moved through the streets in lugubrious silence, when any rude patriot of the common people, cutting a trace of the Empress's carriage, might have saved the Empire. Not the least of the errors of that affrighted escape, was detaching more than two

thousand of the best troops, when there were altogether but thirteen or fourteen thousand for the defence of Paris, taken from that duty to escort the flying Empress, by vain parade, wholly useless, as the escort was not one to fifty of the enemies in arms surrounding the fugitives.

Joseph has been, and ever will be, much censured for that retreat. I wish it were possible to defend his unfortunate evacuation of Madrid, as King of Spain, in 1808, and of Paris, as Lieutenant-General of France, in 1814. As resolute a man as Napoleon, and on the occasion of his frustrated attempt to escape to America, in 1815, evincing calmer fortitude, Joseph had been so long broke to obey his younger brother, that he seemed incapable of self-reliance. If the Emperor's order had been to stay, Joseph would have done so at all hazards. As it was, to save the King of Rome (the young Astyanax, as his father's letter called the child), his uncle took him away, at the risk of an Empire's ruin.

A publication at Paris, in 1844, for which Joseph's family furnished the documents and suggestions, in order to defend him from censure for precipitate abandonment of that capital, quotes from Meneval, his constant, confidential, and respectable adherent, that the Emperor afterwards complained that his order was too rigorously construed, as the execution of it was, of course, subject to circumstances, which had changed since the time when he gave it. Never was commander less disposed to unkind or ungenerous posterior judgments on his subordinates. Yet to Napoleon's explicit condemnation of Joseph's hasty surrender, must be added what Meneval adds, that it is not at all to be doubted that the presence of the Empress at Paris might have defeated culpable intrigues, and given the Emperor time to arrive to the succor of the capital, by preventing the enemy, as the private council perceived, and the regent and her council comprehended. But there was deplorable obsequiousness to the Emperor's order, which, he said himself, was not his will, under the altered circumstances. Meneval further adds, however, "but who would have dared to contravene such formal orders, which, during fifteen days posterior to them, the Emperor neither modified nor weak-

ened?" Like Grouchy's fatal inaction at Wavre, when his movement toward Waterloo was indispensably dictated by circumstances enough to control any prior order, Joseph's remaining with the Empress and her son at Paris, was commanded by ruling occurrences, posterior to the Emperor's orders, which, moreover, did not prescribe flight from the capital as the only or best method of safety. When all the preparations were made, and the poor distracted Empress, in an agony of distress, averse to depart, and lingering, in hopes of something to prevent it, hesitated still, the officers of the National Guard, on duty at the Tuileries, together with some officers of the regular army, rushed into her apartment, entreating her not to leave Paris, promising so save her harmless. But Clarke's reiterated urgency, and Joseph's unlucky submission to the Emperor, hurried the mother and child away; who, within a fortnight, were captured by the very Cossacks from whom the Minister of War, and Lieutenant-General of the Empire unwisely and vainly attempted to save them.

The Empress and King of Rome, kept in Paris, might have saved the Empire. The townsfolk, instead of being deserted and discouraged by their leaders, could, perhaps, have been roused to desperate efforts of resistance. It was the crisis, the few minutes, on which nearly every thing mostly depends. Less than one day brought the Emperor, with forty thousand soldiers, to the relief of Paris. His arrival there, instead of afterwards at Fontainebleau, would have rendered Marmont's defection impracticable, and prevented the successful movements of all traitors, especially Bourbon partisans. Paris might, perhaps, have been injured, possibly sacked, or burned. But that calamity would have been much less for the country than its capitulation. The bloodiest battle, with any amount of desolation, would have cost France less in money, in life, and in power, not to mention honor, than the surrender which Joseph unhappily authorized. On such occasions, princes, empresses, nobles, and persons of property, sometimes prove public hindrances and misfortunes. Would even Napoleon himself, then no longer the General Bonaparte who once braved all risks and consequences, have proved barbarian

enough to destroy the magnificent metropolis of France? Such half-civilized patriots as long defended Saragossa, and snatched Moscow, by universal conflagration, from French captors, probably did not exist at Paris. History teaches few more impressive lessons than that, as war is sometimes the only way to peace, so, to prevent the capture of a capital city by enemies, its destruction, by the country it represents, may be a prudent and economical resort. Capitulation often costs more than destruction. If the middle classes of Paris, representing property, deterred the poorer classes, with nothing but life to lose, from reckless resistance, and prevailed on Marmont to surrender, as was said to be the case, they incurred more national debt, and sacrificed more French life, than would have resulted from sacrifice of that splendid city. Seldom, if ever, are great cities more injurious to countries than when, like Paris, by either revolutions or capitulations, their influence affects the national destiny. Not long after Paris was surrendered to the repeated revolutions which ensued royal restorations, Jackson was resolved to lay New Orleans in ashes, rather than let enemies take it. Honest and respectable persons opposed his desperate resort, with good motives, reckoning capitulation safer than destruction. But were they not in error? To recapture New Orleans would have cost much more bloodshed and treasure than to rebuild it after being burned. And if Paris had been destroyed, sober historical consideration of that dreadful emergency may convince us that, on such occasions, like martial law, it is safer to risk all, and endure all, than to lay all at a captor's feet.

After having been a whole week without tidings from Paris, or Paris from him, the Emperor, on the 28th March, 1814, received a message from his Postmaster-General, Lavallette, that his majesty's immediate presence at his capital was indispensable to save it from the enemy's hands. Next day he despatched General Dejean there to announce his speedy arrival; who, on the 31st, delivered the Emperor's message to Joseph. On the 30th, Berthier despatched another messenger, General Girardin, to Paris, to repeat the assurance of the Emperor's prompt arrival there. That day, after a few hours' repose,

the Emperor, in a light carriage, almost alone, accomplished one hundred and twenty miles of the journey. But on the 29th, the Empress had left Paris; and, on the 30th, Joseph authorized Marshals Marmont and Mortier to capitulate. While changing horses the Emperor was apprised of the departure of his wife and child. Part of his troops marched near forty miles in one day; but all in vain. At ten o'clock at night of the 30th, when nearly alone, and only the river between him and the enemy, Napoleon was informed that Paris had capitulated. In a fit of that irresolution which seemed to be the inconsistent part of his rapid, impetuous, and resolute will, he thereupon sent Caulaincourt to Paris to negotiate; and, by five days' delay, was ruined. Procrastination at Moscow, in 1812, at Dresden, in 1813, at Fontainebleau, in 1814, at Paris, in 1815, and, finally, indecision at Rochefort, was fatal element of the impetuous nature of a wonderful man, whose prodigious success was mainly attributable to overpowering rapidity of thought, option, and action. But, in 1814, the Emperor Napoleon was no longer General Bonaparte in 1798. Nor was Paris Saragossa, Moscow, or New Orleans. Wealthy tradesmen, effeminate courtiers, and royal rebels to imperial sway, ruled the refined metropolis of Europe, instead of semi-barbarous disregard of property, plebeian bravery, and instinctive patriotism. Nobility, old and new, court ladies, and Bonaparte princes, were unequal to a crisis, when the populace needed a fearless leader; but the Emperor shrunk from arming them with his faithful soldiers; whom, in the mass of consternated fugitives, one female of royal blood alone dared to disobey, and defy fortune. Thinking probably that her connexion with kings might plead his cause, he had ordered Jerome's wife to remain in Paris. But she insisted, when her dethroned husband fled, to go with him, and abide the fallen fortunes of his ruined family.

The imperial family fled to Blois, a town on the river Loire, south of Paris, where they tarried from the 2d to the 8th of April, six days, in stupor of doubt and dismay. Madame Mother, as the otherwise untitled parent of so many kings and queens was called; Joseph, with his wife, called Queen Julia,

and their two daughters ; Jerome, with his wife, Queen Catharine ; the dismal young Empress, a crowd of courtiers and noble followers, with their ineffectual military escort, lingered there, till she was captured by Cossacks, and the rest dispersed. M. Lamartine's brilliant and attractive pen egregiously misrepresents the parting scene at Blois, where Maria Louisa spent her last moments in France. My information, from higher and purer, however biassed, source, induces me to dwell on his misstatements, not so much merely to correct this one of his many fanciful fabrications, as to show how boldly facts are distorted and history falsified. The Emperor's secretary, Meneval, was with the Empress at Blois, present at all the transactions M. Lamartine misrepresents, and describes them all, with unquestionable candor. Oral assurances from another respectable member of Joseph's family, then with them at Blois, with Meneval, are my authorities for discrediting detraction, by which the bounty of royal favor, sometimes earned, was too often sought. Probably that charming poet never saw Napoleon's Austrian wife, of whom his merely romantic description is altogether fiction. A plump, florid, thick-lipped, healthy, quiet, sensual, German young woman, with neither personal nor intellectual attraction, he transmutes into an unhappy victim of vulgar Bonapartism, not long before disgusting sensuality of cohabitation with an elderly, one-eyed paramour, degraded her below all sympathy. Lamartine's portrait of Maria Louisa, is like Burke's gorgeous delineation of her grand-aunt, Maria Antoinette ; neither of whom probably ever saw the originals, more than at a distance, and for a moment, but depict princesses instead of women. John Adams, who saw the imperious Queen of France frequently and near, says she was not handsome. La Fayette, who also knew her well, denied the chastity of an unfortunate victim, beautified by flatterers and the scaffold. A fat man, forty odd years old, when younger not amorous, inordinately ambitious, and always too busy for domestic recreation, wedded, not from love, to a girl of carnal twenty, who married him to please her father, without mental resources or beauty, was a matrimonial conjunction for romance to tamper with. " Delicacy and con-

stancy," strange ascriptions for Louis XIV.'s superannuated libertinage, contrasted by Lamartine with his fabrications of Napoleon's "flights of love," attribute to the domesticity of both those monarchs the very "dramatic heroism" at which he sneers. Joseph's always amiable and virtuous wife, with their daughters, Jerome's admirable and royal wife, Maria Louisa's equal in rank, sister in family connexion, and superior in all feminine characteristics, were with the Empress at Blois, all of whom, during the four years of her married life, she had learned to regard with affection. If true to her marriage vow, she might, perhaps, have saved her husband, and preserved their empire, when vacillating, if not double dealing, between husband and father. Enamoured messages every day came from her husband to his wife and brothers, urging them, above all things, to save her and her child. Every day she sent messengers to her father, at one time Regnault de St. Jean d'Angely, whom we afterwards had among the imperial fugitives in this country, and at another time M. Beausset, the chief actor in Lamartine's drama the very day, 8th April, of its occurrence. Whether, in the Empress's distress, she desired most to be with her father or husband, is doubtful: her duty, in such a difficulty, was to follow her husband's fortunes, whom Lamartine says she did not love, considering herself merely part of the dynastic machinery; and the skeleton of what actually occurred, dressed and distorted, he embodies to appear what it was not. Joseph and Cambacères, and Jerome, a younger man, with greater vivacity, urged her to cross the Loire, and seek some place of safety from capture. She refused, with extreme resistance, and, to escape their importunities, rushed out of the room complainingly or imploringly. M. Beausset, an officer of the household, at hand, joined in her exclamations. General Caffarelli and others of the military hastened tumultuously to where the commotion was heard; and, without any of the indecent, unmanly aggravation ascribed by Lamartine to Joseph, Jerome, and Cambacères, it was certainly, as Meneval states, an inglorious episode to a melancholy drama. But the force, which he accuses them of attempting, is false. No force was attempted. The Empress was treated, during her six days'

sojourn at Blois, with all the delicacy due to her sex, and all the respect appropriate to her rank. Lamartine's statement, that Joseph and Jerome kept her captive, is wholly unfounded. Their urgent orders from the Emperor were to keep the pædium, as he and they held her to be, safe from hostile seizure. For that purpose further flight, beyond the Loire, was essential, as they urged in vain. Within a short time of the scene that day, the Emperor Alexander's aid-de-camp, Schouvaloff, arrived at Blois, to whom Maria Louisa surrendered herself and child, probably without reluctance. To all her Bonaparte connexions she appeared to be attached, to Joseph and his family especially; and six months afterwards, while her husband was at Elba, showed her undiminished regard for Joseph, by a visit at his residence, Pranjins, in Switzerland. Alexander's aid-de-camp, commissioned by the Allies, took the Empress to Orleans. Whether, as she sometimes declared, she desired to join her husband at Elba, she returned to her father at Vienna, contrary to what is said to be a principle of regal duty, that when a princess's obligation conflicts between parent and husband, she is bound to abide with her husband.

Joseph wrote to his brother-in-law, King Murat, in Italy, and to his brother-in-law, King Bernadotte, then in Flanders, entreating their succor, in vain. Napoleon's downfall was fixed. Kings and marshals, once aspiring, brave young men, when enthroned, entitled, and enriched, degenerated, like their imperial creator, and were among the first to desert him.

Early in the morning of the 31st March, 1814, Napoleon arrived at Fontainebleau, where he fixed his quarters. Marshals Monecy and Lefebvre, Ney, Macdonald, Oudinot, and Berthier soon joined him there, as well as Marmont and Mortier, from Paris. The troops followed, and some fifty thousand soldiers were stationed between Fontainebleau and Paris, all, except their superior officers, enthusiastic to be led by their Emperor to attack the enemy in their capital; on which movement he too was bent. The confidence of the army in him was never greater or their spirit higher. If eight of his marshals had not continually infested his apartments and distracted his councils, that attack would have been made, and probably suc-

ceeded; for in a very short time the conquerors, leaving mostly the heights and strong places near the capital, were scattered about the town, in which, with the co-operation of the suburbs, their assault, by a furious French army, would have been terrible. At all events, no result by hostilities would have been so injurious, expensive, and disgraceful, if so sanguinary, as the restoration of the Bourbons by foreign troops, subjugating France, for several years occupied by them. But more than Joseph at the Tuileries, when he authorized capitulation, Napoleon at Fontainebleau was demoralized. Mere bodily infirmity may explain his indecision. I have it from one of Joseph's family, then in the midst of all those transactions, that, besides the mental agony unavoidable in such a crisis, Napoleon's labors, by night and day, were so incessant and severe, as to render him no longer the man of iron will and superhuman intelligence he had been. The eight marshals with him were, moreover, a dead weight. Soult was near Bourdeaux, Suchet in Spain, and Angereau at Lyons. Nearly all the other first soldiers of the French Empire were with their great master; in battle as brave, though not as efficient, as ever, but in council almost traitors to the imperial cause. While Marmont has been consigned to infamy for overt act of high treason, Oudinot was not much less unfaithful; Ney, Lefebvre, nearly all but Macdonald, extremely disaffected, insubordinate, selfish, pusillanimous, and inclined to desertion; Berthier and Marmont, Napoleon's favorites, leaders in his betrayal; Ney, consecrated by sacrifice a year after, rudely intractable at Fontainebleau; Macdonald, estranged for many years from Napoleon, and never among his flatterers, the only marshal who behaved like a man of honor and spirit on the trying occasion of the Emperor's two forced abdications. If there had been no marshals about him, with enormous fortunes and fictitious rank to save, in all probability the downfall of the Emperor would not have occurred, betrayed and ruined by new-made kings, with family crowns, and bastard nobles.

The Emperor Alexander was presiding genius of the movement at Paris which, by unlawful decree of part of the Senate, released the French from allegiance to Napoleon and his family;

and it was fortunate that so kind a conqueror ruled, instead of the dull king of Prussia, the extremely inimical Austrian commander Schwartzberg, or the more than all unmerciful Castlereagh. Under Alexander's auspices that astonishing intriguer Talleyrand, without its being then or yet ascertained what his preference was, got together sixty-four of the one hundred and forty senators, and some eighty of the three hundred members of the Legislative Body, and raised up a provisional government, consisting of Talleyrand as president, Jaucourt, formerly member of the Constituent Assembly, and one of Napoleon's new nobles, Bournonville, an old general of the republic, signalized by his democratic professions, the Abbé Montesquieu, correspondent of Louis XVIII., and Dalberg, a German whom Napoleon had made a French duke. After a hurried conversation between seven foreigners, the Emperor Alexander, King of Prussia, Prince Schwartzberg, the Austrian Prince Lichstentstein, Dalberg, Nesselrode, Pozzo di Borgo, and Talleyrand, it was resolved to put aside Napoleon and all his family, not establish a regency for his son, and consequently, as was pronounced an inevitable result, restore the Bourbons; who in that conference had no advocate. But when both Napoleon and the regency were cast off, Talleyrand suggested Louis XVIII., as the only remaining option. Alexander faintly mentioned Bernadotte, as he had before promised him; but Talleyrand objected to him, as a mere soldier, inferior to the soldier dethroned. Pozzo di Borgo opposed the Empress's regency for her son, when proposed by Dalberg. As a mere inevitable result, the old royal family followed.

During the night of the 3d April, Napoleon received from Marmont the Senate's decree of his dismissal. Next day, after the usual noon review of the troops, Marshals Berthier, Ney, Lefebvre, Oudinot, and Macdonald, together with Maret, Duke of Bassano, and Caulaincourt, long closeted with the Emperor, after much remonstrance and complaint, — Oudinot, Ney, and Lefebvre rudely urgent, — got from Napoleon his first abdication, of the 4th April, in favor of his child, with his wife's regency. Macdonald, on all occasions, was kind, considerate, and honourable; Maret and Caulaincourt unde-

viating in their devotion to the Emperor; the others anxious to sacrifice him to their own safety. The Emperor's orders were preparatory to the attack on Paris. The recalcitrant marshals positively refused to obey, and insisted on his abdication. With that document, Ney, Caulaincourt, and Macdonald were commissioned to go to Paris, and make peace accordingly. So entire was Napoleon's confidence in Marmont, that he was at first named a commissioner with Ney and Caulaincourt; but, in order not to detach him from his important command of the vanguard of the army, to lead in the assault of Paris, Macdonald was substituted for Marmont. On their way to Paris, Ney, Caulaincourt, and Macdonald called at Marmont's quarters and apprised him of the abdication, when he had already begun the treason which he finally perpetrated. As soon as he capitulated, and the senators decreed the Emperor's removal, Talleyrand and others went to work to induce Marmont to join in the substitution of some other monarch than Napoleon, not intimating the Bourbons, but holding out the hope of peace by some change. Marmont may have had ideas of Monk and Marlborough's defection from the Commonwealth and from King James, of Dumouriez and La Fayette's deserting their armies and going over to their enemies, as they considered to save their country. Joseph Bonaparte's conjectural explanation, as he told me, of Marmont's treachery, was that, belonging somewhat to the old nobility, and being married to a daughter of Peregaux the banker, through those channels of seduction his fidelity to Napoleon was shaken. After much hesitation, he agreed, on the 3d April, by a written stipulation with Schwartzberg, to abandon Napoleon, and withdraw his corps of near ten thousand men from his service. Marmont, flattering himself that he was to be the peacemaker, and, by abandoning Napoleon, save France, before consenting, consulted some of his principal officers, who approved the movement. When informed of the Emperor's abdication, deserting him became unnecessary; Marmont, therefore, ordered the generals of his corps to keep the troops just as they were, without any change, till he returned. And then accompanying Ney, Caulaincourt, and Macdonald to Schwartzberg's

quarters for permits to pass through the hostile army into Paris, Marmont there annulled his arrangement with Schwartzberg, and went with the three commissioners to make peace. But Souham, the general of Marmont's corps next in command, was a greater traitor than the marshal himself, and several of the other generals were equally ready to desert a sinking cause. Becoming alarmed, therefore, by visits from Colonels Gourgaul and Fabvier, which excited apprehensions that the Emperor was informed of their treasonable plot, and might severely punish its authors, Souham and the other conspirators, disobeying Marmont's positive orders not to change the position of the troops till his return, marched them away by night into an ambuscade concerted for their capture by the enemy. The troops supposed that they were marching toward Paris, to assault it next morning under the Emperor, and were not undeceived till surrounded and saluted by Russians under arms. Indignant at that villanous deception, as soon as discovered, the colonels and some faithful generals revolted against Souham and his accessaries, and were marching away, when Marmont, to whom intelligence of the whole movement had been sent, hurried from Paris, and overawed the faithful troops, by threats, entreaties, and his superior authority, completing the high treason which, from his first false step, had gone further than he perhaps designed. On all such occasions, the first consent is apt to produce consummation of crime. That final enormity of treasonable desertion, by which a fifth of Napoleon's whole army was lost to him, was the last of the series of desertions, which began at Leipsic by whole corps, after Jomini and King Murat set the example.

While Marmont's high treason was in perpetration, he accompanied the three commissioners to Paris, where, at midnight, while he remained at Ney's residence, Ney, Caulaincourt, and Macdonald had their interview with the Emperor Alexander. They each in turn urged on that grand arbiter of government the legal, military, and political advantage of the regency over any other settlement of the question, which the Russian monarch uniformly declared was submitted to France for determination. The royalists, the provisional government, and

Napoleon's formidable Corsican antagonist, Pozzo di Borgo, strenuously contested any government with which Napoleon would have any thing to do. But his commissioners had reason to believe that Alexander's mind was inclining to the regency, when Marmont's treason put an end to all such inclining by its unexpected announcement, in a note handed to Alexander, informing him that all Marmont's corps had deserted, and actually gone over to the Russian troops. The Autocrat, apprising the commissioners of that monstrous fact, at once said that it entirely changed the argument of the whole affair. By that incident of unlucky treason, the Bourbons got leave to resume their reign, when the Emperor of Russia did not desire it, there was reason to believe the Emperor of Austria preferred his daughter's regency during his grandson's minority, the French Bourbon partizans were extremely few and insignificant, and that dynasty really had hardly any strenuous advocates, except the English, then without a soldier or a minister at Paris. If the Empress and her child had not been unwisely removed from the drawing of that lottery of chances, a woman in her capital, the daughter of a legitimate monarch, mother of a son representing the principle of legitimate succession, might have been the high prize, for she could hardly have been dethroned in that seat of government by the great supporters of that principle. As early, however, as the 31st of March, 1814, Schwartzemberg, who ought to be considered the representative of Austrian wishes, declared not only that there could be no lasting peace without Napoleon's removal from the throne, but that the old monarchs ought to be restored. Still it is impossible to say who would have drawn the prize, when it appears certain that the Emperor Alexander, the grand manager of the lottery, was determined to let France draw for herself.

As soon as Napoleon learned Marmont's defection, and the rejection of his son's succession with his wife's regency, he demanded the return of his first abdication, turned all his thoughts to hostilities, suggested assembling an army beyond the Loire, making a stand in Italy; any thing but total and unconditional submission. But his superior officers and courtiers

strongly deprecated all further resistance. Most of them had then undergone some seduction from Paris; and nearly every one was more anxious to save himself than his country. Civil war, they contended, would be the inevitable and terrible resort; the Emperor, who had never commanded any but great regular armies, must descend to be partizan leader of small bodies of volunteers. If then he had broke through the circle of dastardly courtiers who hedged him in, and appealed to the army, there would have been among the soldiers and less distinguished officers but one sense of enthusiastic alacrity for action. But monarchical habits disarmed and unnerved him; he could not move or act without the great officers of his imperial household and court, and they were nearly all against him: most of whom soon left him nearly alone at Fontainebleau. Even his valet, Constant, and the Egyptian Roustan, who followed him like a dog for fifteen years, deserted. Mortified, irresolute, and powerless, reasoning during two days with the base ennobled, after forty-eight hours of weak and almost unmanly resistance, at last, on the 6th of April, 1814, he sat down and wrote, in four illegible lines, unintelligible to all not familiar with his scrawl, blotted, interlined, erased, and disfigured throughout by the despair which then agitated the writer of Napoleon's farewell to greatness, his second abdication, dated April 6, 1814.

The treaty, called the treaty of Fontainebleau, executed at Paris, on the 11th of April, 1814, by Caulaincourt, Ney, and Macdonald, Metternich, Nesselrode and Hardenburg, to which, on the 17th of April, Castlereagh added his contumelious assent, profusely lavish of titles, left all but empire and France to the still-styled Emperor Napoleon, with revenues to him, his family, and some favorite officers, civil and military, less than the amount of the public and private fortunes of the Bonapartes: cheap price for the throne, said Pozzo di Borgo, when afterwards, Russian ambassador at Paris, he condemned the gross Bourbon breach of that treaty, by withholding every sous allowed by its grants, as dictated by Alexander's politic generosity.

Soon after Napoleon finally abdicated, on the 6th of April,

he turned his thoughts to suicide, and, on the 8th, resolved on it. When Caulaincourt presented him, from Paris, the treaty of the 11th, dejected and debilitated, he refused to ratify it, demanded the return of his last abdication, and protested against all provision for himself as superfluous for a conquered man, who had nothing to ask or to hope. Louis insisted that the throne was his by right, without the usurper's abdication, which Napoleon denied to be necessary by a conquered captive. After he had, for nearly forty-eight hours, remained intractable, moody and desperate, on the night of the 12th of April, 1814, he attempted suicide, alone, on a sofa in his bed-chamber. On the retreat from Moscow, after being twice nearly taken prisoner, he got from his physician, Yvan, a compound of opium with some other poisonous drug, said to be like that with which Condorcet saved himself, in prison, from execution by the guillotine, which the Emperor carried in a bag round his neck, and, after his escape from Russia, kept in his desk. Either time had diminished its force, or he mixed it with too much liquid; from some cause or other, the dose failed to produce the expected effect when he swallowed it at Fontainebleau, to escape the mortification of being exhibited as a captive. After Maret, Caulaincourt, and Bertrand, suddenly called from their beds by attendants, alarmed by his condition, in dread of his dissolution, hurried to his chamber to witness, as they supposed, its approach, a profuse sweat, followed by profound slumber, relieved him. Next morning he rose as usual, consented to the treaty which banished him to Elba, recovered his equanimity, busied himself with books and letters, and, at the end of a solitary week, on the 20th of April, with General Bertrand in his carriage, attended by the Russian, Austrian, Prussian, and English commissioners, after an affecting farewell to the remnant of the French army at Fontainebleau, Napoleon set out for his place of confinement.

The Empress soon went her way to Vienna; Napoleon's mother, with Louis Bonaparte and Cardinal Fesch, to Rome; Joseph and Jerome Bonaparte, with Jerome's wife, to Switzerland; Joseph's wife and two daughters to Paris, which she left, reluctantly, the day after the capitulation; and where her

sister, Bernadotte's wife, together with several other relatives, were residing.

One of Napoleon's most active enemies, who entered, sword in hand, with his master, the Emperor Alexander, and the conquering allies, into Paris, was a brother Corsican, and former friend, though for many years a bitter and most efficient foe—Pozzo di Borgo. As I have often heard Joseph tell, and with no acrimony of expression or recollection, Pozzo and Joseph were colleagues in the Directory, or what we might consider the State Legislature, of Corsica, in 1790; Joseph then only twenty-two years old, and Pozzo, about the same age, with whom Napoleon was also intimate. Sebastiani, since marshal, noble, peer, minister and ambassador of France, distinguished in both military and civil life, but of whom, Joseph told me, Napoleon had no great opinion, was then a bare-footed Corsican boy, son of a tailor, as well as I remember that part of his biography; but certainly employed by Joseph to go of errands, and promoted to being allowed to seal his letters, for whom Joseph at length got a commission in the French army, from which Sebastiani rose, like Napoleon, by his own merits and opportunities, till deep in King Louis Philippe's confidence, and his ambassador in England during one of Joseph's visits there. When Joseph parted, in London, with his secretary in America, Sari, another Corsican, Sebastiani introduced him to a situation in Paris, by which, together with Joseph's liberal donation in money, Sari was enabled to establish himself to the satisfaction of his handsome Spanish Cuban wife, Miss St. George, and educate their children in France. Pozzo, like Joseph, was a liberal or republican member of the Corsican local government, till, on the occupation of the island by the English, he abandoned the French and joined the English party, which separated him from the Bonapartes. When the English were expelled, Pozzo had to go too, and sought employment in England, under the protection of Lord Elliot, who had been viceroy in Corsica, and made use of Pozzo there. Elliot being sent ambassador to Russia, Pozzo accompanied him, where his conduct, in several transactions with the Emperor Alexander, pleased him, and induced Lord Elliot to offer him to the Czar,

as the best way of providing for an adventurer to whom Lord Elliot was indebted for, without being able to requite, useful services. The English seldom employ foreigners, as the Russians often do. Alexander gave Pozzo a commission in the army; and as he never could return to Corsica, when become part of France, the Corsican pushed his fortune, with all his might, in Russian uniform. He was employed, as secret agent, in many places, to excite governments against France; and in that capacity at Vienna, in 1809, when it was taken by Napoleon, Pozzo fled with the Austrian court into Hungary. Being disavowed, by both Austrian and Russian governments, as a mischievous and unlucky spy, he made his escape, with much difficulty, in great destitution and danger, worn down with fatigue and exposure, to Constantinople, where he threw himself on the mercy of the British ambassador, by whom he was restored to the Emperor of Russia's favor. More active than ever in secret missions, he was, especially so in 1814, urging the Russians to march upon Paris, where he flattered himself that his intrigues would succeed in getting the gates thrown open without serious resistance, as Fouché, Talleyrand, and others of the same order of talents and of merit as Pozzo, were contriving, like him, to get them opened. Pozzo, having assured his master that it would be done, passed a very critical and anxious night before the capitulation; for, if his assurances had failed, his life might have paid the forfeit. As he rode into Paris next day, in the train of the sovereigns, the Archduke Constantine, with his barbarous face, and hoarse, guttural voice, said to him, "Pozzo, this is a lucky day for you. If we were not here, you would be hanged." Sometime afterwards, Pozzo said to Meneval, "There was one man wanting to make Napoleon master of the world, and I was that man. What he wanted was some one like me, deep in the intrigues and designs of cabinets, to let him know what was contriving against him. But our reconciliation was impossible; if he had ever caught me, he would have hanged me. Pozzo di Borgo became Russian ambassador at London, and afterwards at Paris, where he died very rich, and much admired.

Joseph's conduct, counsel, and suggestions, during the hundred days, were, as they always were, such that the Emperor's most unbounded confidence reposed in him to the last. Besides writing to King Murat, and causing a confidential message to be sent to Prince Bernadotte, his brothers-in-law, to bring them back to Napoleon, Joseph got the Emperor to despatch a sure messenger to his old Corsican colleague, Pozzo di Borgo, one of those masters of intrigue, like Talleyrand and Fouché, who seldom fail. The messenger to him carried five millions of francs, and an offer of high station in Corsica, if Pozzo would divide the allied powers, and detach one or more of the potentates or ministers from the coalition. Alexander was so disgusted by the disclosure, made too late, of Talleyrand's endeavor, at the Congress of Vienna, to combine Austria with France, under the Bourbons, against Russian designs on Poland, that probably time only was wanting to sow dissension among the Allies. But Napoleon's messenger and bribe reached Pozzo too late, as he said, "I have just left the Congress, where all my power was exerted to rouse the coalition against Napoleon; and I cannot now recall what I have done. I should be powerless if I attempted it. Why did you not come to me sooner?" If Pozzo di Borgo had been reached, or his master, the Emperor Alexander, apprised sooner of the inimical designs of the English, united with the French royalists, to check Russian aggrandizement, possibly the result might have been different. This remarkable adventurer is believed to have suggested, in 1817, that the imperial and royal powers of Europe should unite, by force of invasion, to put down republicanism in America.

On the 20th April, 1814, the Emperor left Fontainebleau, on his way to Elba, and embarked on board the British frigate the *Undaunted* the 4th of May. On the 29th of that month the Empress Josephine died, exhausted by efforts, when in feeble health, to receive and entertain at great entertainments the Emperor Alexander and King of Prussia, with their suites. Alexander, always amiable, was especially kind in attentions to her, and his constant attachment to her son Eugene, whose

second son, Duke of Leuchtenberg, is now the husband of Alexander's niece, the present Emperor Nicholas's daughter.

The French did not accept the Bourbons when a few intriguers and adventurers in Paris succeeded in restoring Louis, by no means the desired, though that title was given to him. Amazement and uneasiness were prevailing sentiments, at his clamorous Parisian restoration, of a people so fickle, Napoleon said, that their levity should not be imputed as a fault, especially as their frequent changes are without selfish motive. The people were not pleased; the army was mortified and discontented. The few liberal ameliorations conceded by the king were his grants, when they should have been enacted by popular convention, of which government had nothing to fear; for during thirty years every constitution proposed to the nation it had adopted. Cherishing free principles, without familiarity with the forms of free government, the French never understood or enjoyed liberty, which Napoleon feared and excluded, while confirming well-established equality. Under the Bourbons both liberty and equality were discountenanced, as revolutionary conquests from royal and noble rights. Nearly ten millions of persons interested in confiscated property, called national domain, were alarmed by government intimations of the injustice of such property; thousands of military men were discharged, reduced or otherwise discountenanced; the imperial nobility were socially proscribed, ridiculed, and superseded by the royal nobles; which Benjamin Constant denominated the faction of rank—small in numbers, but strong in show, vain of elegance and pretensions to taste, which they mistook for authority, deceiving themselves by their own imbecility, and doomed to be always ignorant of the nation, with which, considering it bad company, they would not take the trouble to become acquainted.

Before Napoleon's return from Elba, therefore, all France, fermenting with aversion to the royal government and old aristocracy, its chief support, was canvassed by an imperial party, for restoring Napoleon and the empire, a regency party, for proclaiming his son with a regent, and an Orleans party;

in one or more of which parties several of the French who afterwards escaped to this country were engaged, particularly Marshal Grouchy, Generals Charles Lallemand and Lefebvre Desnouettes, and Colonel Henry Lallemand. The Emperor was aware of none of these conspiracies; busy at Elba, building, reading, riding, active as ever, but in different ways from former occupations, though continually, for pastime, reviewing, minutely inspecting, and carefully disciplining his few hundred soldiers. Straited for means, and obliged to borrow of some Italian bankers, he knew that revolutions and restorations, and other great national and popular movements, are seldom accomplished by conspiracies or intrigues, but must make themselves by spontaneous operation, in order to be permanent and satisfactory. Both Emperor and king lost the French throne by suppressing that liberty which the Emperor detested and the king could not understand; though neither dreaded it so much as many of the courtiers and counsellors, plebeian and aristocratic, of both. It was thought that Metternich, who was almost the Austrian government, contemplated placing the young Napoleon, with his mother, on the throne; and imputed to the English ministry that their vessels on guard around the island of Elba became extremely remiss on that station, in order to favor the Emperor's escape. Before he left Fontainebleau he probably contemplated and concerted some method of intercourse and intelligence with France, without written correspondence. But till the 22d of February, 1815, when a young man named Fleury du Chaboulon visited Porto Ferrajo, Napoleon's place of residence in Elba, without letters, but with signs, from Maret, the Duke of Bassano, Napoleon had formed no plan, and made few, if any, preparations for his escape and return to France. The Congress of Vienna began its active sessions in October, 1814, into which assembly of potentates, prime ministers, and other antagonists of all representative government and new-made personages Talleyrand carried the earnest orders of Louis, eagerly seconded by the Spanish, the Neapolitan, and all other Bourbon kings and princes, to effect the removal of Napoleon from Elba to Malta, St. Helena, or some other remote place of

safe confinement, and the expulsion of King Murat from the throne of the Two Sicilies. The royalists had often attempted Napoleon's assassination, for which, Joseph Bonaparte told me, that Louis Philippe, as well as Charles X., contributed means. That the fallen Emperor was to be murdered, or removed to some severer confinement, was his belief, and that of nearly all his followers. The Bourbons had broken every article of the treaty of abdication. All of a sudden, therefore, he resolved to leave Elba, and put it in execution as suddenly as it was resolved, after personal confidential communication with Fleury du Chaboulon. On the 26th of February, 1815, just when throughout this country we were celebrating peace, Pauline Bonaparte gave a ball at Napoleon's plain and almost shabby residence, in Porto Ferrajo, where he took leave of her and his mother, who were living there with him, and next day embarked, with Generals Bertrand, Drouet, and Cambronne, in one small brig of war and three luggers, with about a thousand men, with whom, after five days' navigation among French royal and English vessels of war, as adventurous and fortunate as his voyage from Egypt, he landed, on the 1st of March, at nearly the same spot in France where he landed in 1799. From a ball, on the 26th of February, 1815, Napoleon darted like a bomb on his last romantic adventure; from a ball at Metternich's, the 11th of March, 1815, the Emperors of Russia and Austria, King of Prussia, other kings, princes, and potentates, started in affright at the news, then just whispered, that Napoleon was in France; from a ball at Brussels, near midnight, the 16th of June, Wellington and several of his officers, surprised by intelligence of Napoleon's advance on the Prussian and English armies, without time to change their clothes, hurried forth to the battle of Waterloo.

The common impression, that nearly all France was for the Emperor, and joined his standard at once, is a great mistake. France was opposed to the Bourbon king; but, excepting the bulk of that rural population which has lately so wonderfully plied universal suffrage to elect the Emperor's nephew first president of the French republic, almost all other, especially the higher and conspicuous classes of France, were not only opposed

to Napoleon, but preferred King Louis, though they disliked his government. The army was not for the Emperor; not a single officer of note gave in his adhesion to him, except the very few constrained by overpowering circumstances. The marshals were all against him; and, till the very day of his installation at Paris, generals were continually publishing their adhesion to the king. The merchants were all against him, for wars and his reign were fatal to commerce. The nobles, old and new, dreaded his restoration. The men of learning, of literary and scientific celebrity, were mostly either neutral or royalists. Even the holders of confiscated property feared that, with Bonaparte's return, there would be more disturbance. Capitalists, stockholders, bankers, speculators, the clergy, the provincial aristocracy, all these large and influential classes, feared in the Emperor a warrior to disturb and endanger them, and regarded Louis's reign of supineness as preferable to the Emperor's belligerent agitation; for whom only the mass of the common people volunteered—those who have the least influence in calm times, but, like the ocean troubled, carry all before them when roused to tempestuous action. Napoleon was aware of this state of things. He knew that among his former most pliant instruments once were some of his most venomous enemies, after they crooked their knees to King Louis. Talleyrand, Fouché, Soult, Ney, and Davoust would suffer by his return more than steadfast royalists. So clear was his conviction that his enemies were the organized, high and low, and his advocates the instinctive country-folk, that he avoided all fortified places, and proceeded one hundred and twenty miles during six days, before he ventured to expose himself before any government obstacle, material or personal, civil or military, keeping away from towns till he got as far as Grenoble. The common people were for him, but that was nearly all; and if, when reinstated, he had countenanced them, as they did him when a mere adventurer, in 1799, 1813, and 1815, he need not have been sent to St. Helena, after losing one battle at Waterloo, any more than to Elba after the capture of Paris. Unfortunately for him, and most unwisely, he put his trust in princes; looked to the Emperor, his father-in-law, and Metter-

nich, that monarch's mentor, from whom there was no hope, instead of the French people, who were his fast friends. Yet he told Benjamin Constant that he was the Emperor not of the soldiers, but of the peasants. "The people," said he, "the multitude, want no one but me. The plebs of France are my supporters; they sympathize with me, as one of themselves. That was not the way of the privileged. The nobility served me, rushed into my antechambers in crowds for places, which they accepted, sought, and demanded. But it was another thing with the people. The popular fibre responded to mine; I came from their ranks; my voice acted on them. Look at my conscripts, peasants' sons. I never flattered them; I treated them roughly. They did not surround me the less; they did not the less hurra for the Emperor, because between them and me there is the same nature. They regard me as their support; their guardian against the nobles. I have but to make a sign, or rather look away, and the nobles would be massacred in all the provinces. If there is any way of governing by a constitution, so be it. I wanted the empire of the world, and to assure that, power without bounds was necessary for me. To govern only France, it may be that a constitution will do better; I wanted to rule the world. And who would not in my place? The world invited me to do it; sovereigns and subjects were rivals to cast themselves beneath my sceptre. I seldom found any resistance in France; but more from some obscure and unarmed Frenchmen than from all the kings now so proud to have no equal. See, then," said he to Constant, "what seems to you practicable. Bring me your ideas. Public discussions, free elections, responsible ministers, liberty of the press — I desire all that. Above all a free press: to stifle it is absurd; I am convinced of that. I am the man of the people. If the people really want liberty, I owe it to them. I have acknowledged their sovereignty; I must lend an ear to their wishes, even to their caprices. I never wanted to oppress them for my own pleasure. I had great designs; fate has decided them. I am no longer a conqueror; I cannot be. I have but one mission; to raise up France, and give her the government that suits her. I by no means hate liberty. I

thrust it aside when it obstructed me ; but I understand it ; I was nourished in its thoughts. The work of fifteen years is destroyed, and cannot be begun again ; it would require twenty years, and the sacrifice of two millions of men. In order to sustain the long and difficult contest upon us, the nation must sustain me. In return, I believe it will require liberty. It shall have it. The state of things is new, and I ask only to be enlightened. Men of forty-five are not what they were at thirty. The repose of a constitutional king will suit me ; it will still better suit my son. During twelve years the nation rested from all political agitation, and for the last year from war. That double repose has rendered activity necessary. It wants, or thinks it wants, tribunes and discussions. It did not always want them. It threw itself at my feet when I first came to the government. You must remember that," said he to Constant, "you who attempted opposition. Where was your support, your strength ? Nowhere. I took less authority than I was invited to take. Now all is changed. A feeble government, contrary to the national interests, has given those interests the habit of standing on the defensive, of wrangling with authority. Taste for constitutions, for debates, for harangues, appears to be come again. It is only the minority, however, who desire them. Don't deceive yourselves there. The people, or, if you please, the multitude, want only me."

In this strain of garrulous, eloquent, and imposing argument, Bonaparte's vindication, such as all those intimate with Joseph Bonaparte continually heard from him, did Napoleon explain and justify his career, confess his errors, recognize his altered condition, and concede part of the freedom indispensable for his support ; but the whole he never could be prevailed upon to allow. Hence his failure in 1815, as in 1814. A chamber of deputies was forthwith convoked for all the departments, as one of the first acts of his new reign ; and a vote of the people asked to affirm his restoration. Perfect freedom of the press was established. During the hundred days, the French press was freer than the English—as free as the American. Bonaparte's government, his right to govern, the policy he pursued, all his conduct, every thing was freely

discussed in the public prints. On all alarming public junctures, governments solicit the people. Like individuals in distress, they promise and they mean amendment. In that way English liberty was established in 1688. Under such exigency the people of Germany, Spain, and much of Europe, have obtained some share of government. Louis and Napoleon bid rival concessions for empire; but both lost it by not bidding enough. The Emperor's amazing aptitude, industry, versatility, unabated and incredible talents for governing, were displayed in every way but for freedom. He would not render the people sovereign, but persisted in merely declaring them so, while he retained and clung to the real sovereignty. When the allied sovereigns at Vienna, by their ferocious decree of the 13th of March, 1815, declared him an outlaw, and called on all people to hunt him down, why did not he imitate the much-abused Jacobins of France, resisting, furiously, nearly all Europe combined to crush the French Republic as a national nuisance, to be abated *vi et armis*? The Emperor, in 1815, was that nuisance which the republic had been. But imperial organization could not save the country, like republican enthusiasm. The struggle of Napoleon's last imperial hundred days was the very crisis for letting loose universal and unrestricted French liberty, to resist that combination of German promise of liberty, by which royalty, in 1813, expelled him from Paris, and of which there was still hope enough left, in 1815, to drive him from Europe. King Murat, like a fool, alarmed by his open denunciation at the Congress of Vienna, attacked the Austrian troops in Italy at the very moment when he should have united with them. A year before, when he united with them, it was an act of the highest and most ungrateful treason to Napoleon; in 1815, when he attacked them, it was extreme folly, and ruin to himself and his brothers. It put an end to all possibility or appearance of Napoleon's concert with the Austrian government, either to join him or stand aloof, precipitated the universal European combinations against him, and sharpened its hate. Reduced to her own single energies, France, however, still powerful, unanimous, and zealous, patriotically and wisely regarded Napoleon's cause as her own, and him as undoubtedly

by far the greatest of all military champions. Conscrip-
 rallied to his standard in numbers unprecedented, and with
 ardor never surpassed; the national guard was augmented
 and organized; arms and munitions were prepared with pro-
 digious industry; funds were not wanting; loans were to
 be had; all warlike arrangements proceeded with complete
 success; every thing was right, except the heart of the
 people, which the Emperor chilled by paralyzing disappoint-
 ment. When Carnot was called to the ministry, and Constant
 invited to form a constitution, the nation were persuaded that
 Napoleon's promises of liberal institutions were to be realized.
 Born, as he said, one of them, bred republican, professing
 republican sentiments during the first year of his brilliant
 career, elected Emperor by the sovereignty of the people,
 repenting his dictatorial sway, and declaring that he would
 renounce it, the great commonalty, who loved and sustained
 him, believed that liberty, long withheld, was at last to be
 added to established equality. Such was the popular faith of
 the thoughtless but patriotic mass, who feel without reasoning;
 but there was, as he truly said, a minority of thinking, rea-
 soning, discoursing, writing, agitating, and controlling French
 —the same intelligent minority of the plebeian majority which
 influences and mostly regulates every free country—who
 taught the community, by means of a free press and every
 other channel of inculcation, that the Emperor was not as good
 as his word; that he still feared anarchy, stigmatized those he
 denounced as Jacobins and idealogues, and insisted, as he told
 Constant, when urging more freedom, that the Emperor's
 heavy hand must be felt as usual. Till his return from Elba,
 he had never even encouraged liberty, which, when arrived at
 Paris, in 1815, he promised; and actually began to institute,
 but stopped short, to expire of that suppression.

Perhaps he was not altogether or alone guilty of that fatal and
 vulgar error, into which he was not led by any highborn gentle-
 man. His two former evil genii were still working his destruc-
 tion: the aristocratic Talleyrand at the Congress of Vienna,
 and the incomprehensible Jacobin, Fouché, whom the Emperor,
 by inexplicable mistake, appointed minister of police during the

hundred days, though in constant correspondence with Metternich, Talleyrand, and Wellington. At St. Helena, his imperial dupe and victim thus sketched Fouché's portrait:—"He was a man infinitely more wicked than Robespierre. His venality was not as prominent as Talleyrand's. He had been a terrorist, one of the chiefs of the Jacobin faction. He betrayed and sacrificed, without remorse, all his old comrades and accomplices. He intrigued every where, every how, and with every body. Intrigue was as necessary to him as food. He was very rich with ill-got wealth. There was no reliance on the morality of such a minister, with the versatility of his talents. I was not his dupe. If I had been successful in 1815, he would have been faithful." Fouché's advice to Napoleon, and intrigues against him at Paris, Talleyrand's at Vienna, were pernicious to the mighty Othello, counteracted by those twin Iagos. Talleyrand, at Vienna, had him proclaimed an outlaw; while Fouché, at Paris, dissuaded or frustrated all honest appeals to the people, when, excited by Napoleon's public discourses to patriotic fervor, they felt sure of the establishment of their rights. If his dictatorial power was to be prolonged, what assurance had they that it would ever cease? Constitutional reforms or amendments, prepared under his superintendence, would be no better than the royal grants. The apostles of liberty preached public discussion of free government by conventions of national representatives; while the Emperor insisted that there was not time for such debate, and offended the deputies elected to the Assembly, by warning them, in his speech, against the divisions which ruined the lower Roman Empire, as, a year before, he insulted another assembly of different deputies by coarser but similar admonition. In the midst of a general rising of the unanimous nation, and military developments the most astonishing, doubling all his own wonderful labours and exertions for organization, the Emperor perceived, nevertheless, that progress and public sentiment were chilled by two apprehensions. First, the recent treason of Marmont, Souham, and other superior officers; the misconduct of Augereau and Oudinot; the obsequiousness with which all the marshals joined the king, imbued people with suspicion of the

general infidelity of the military chiefs. Secondly, and worse than that, they were led to fear that the Emperor himself was a monarch, who, as he said of the Bourbons, had forgot nothing, and learned nothing, of the great springs and resources of national patriotism and independence. In his first calculation of what was necessary for the crisis, he ordered the opening of popular clubs, and the formation of bodies of associated workmen in the cities, to be confederated from city to city, according to a plan which he drew. But Fouché was to be the manager of this levy in mass; which he undermined, while the mass detested him. Napoleon was told to beware of commotions and intestine bloodshed, of which he had a great horror, prodigal as he was of blood on fields of battle. When he reviewed the *federés* of the suburbs of St. Anthony and St. Marceau, in front of the Tuileries, and promised them arms, those stout and valiant workmen, bone and sinew of the capital, telling Napoleon that they would have saved it if Joseph had embodied them for that purpose the year before, when the capitulation of Paris lost him the Empire, called on the Emperor for liberty as well as arms, and shouted for liberty as well as for the Emperor. In a corresponding strain of patriotic fervor, he answered them, and, for the first time in many years, cheered the nation. But will it be believed that, misled by Fouché and other evil counsellors, and by his own fear of all democratic and popular commotion, he withheld arms from the twenty-five thousand able-bodied brave men of those two suburbs, whose descendants, in 1848, proved their fighting faculty by resisting large numbers of disciplined troops, and killing more generals than Napoleon lost at Waterloo? He shrunk from being dictator of an upraised democracy, which might have saved him, with insuperable aversion to popular tumultuary reinforcement. Referring to the vast numbers of mere populace that flocked to his welcome, on the way from Elba to Paris. "I could have brought," said he, "two millions of men with me. But we must not deceive ourselves; there was a great deal of Jacobinism in all that." He therefore could not be prevailed on to establish a new constitution. Nothing but that of the Empire, which was

a chain of his usurpations, would satisfy him, with what he was pleased to grant as additional articles. Those grants, not submitted to discussion, deliberation, or amendment, were, however, perfectly liberal. Religious liberty, freedom of the press, personal security, no troops without legislative enactment, and other guarantees of national emancipation from monarchical power, more than were granted by the king's charter, were constituted; and with reason to believe that the Emperor was sincere in their establishment. Still, this patching old cloth with new, refusing arms to all but soldiers in regimentals, together with other undeniable indications of Napoleon's intractable clinging to powers justly odious to the large majority of the French people, enabled his adversaries of every party, royalists, Orleanists, and republicans, to raise, as they did, formidable cries of disappointment and complaints of his incurable tyranny. As monarch, he was worse than Louis, it was said, in all but military capacity. Although the commonalty did not, at once, lose confidence in, or desert him, yet those he called idealogues and Jacobins, that is, intelligent, liberal, influential, democratic, founders, descendants or disciples of the founders of the revolution and its admirable reforms, were constrained to depopularize him as monarch incorrigible in his despotic habits, tendencies, and prejudices. La Fayette, in constant correspondence with Benjamin Constant, came from his retirement, after fifteen years of ostracism; Lucien, the only one of all the Bonapartes inflexibly averse to monarchical rule, went from Rome to help Napoleon defend France. Lucien, La Fayette, and his son, were elected members of the Chamber of Deputies; into which body were chosen many of that class which, like Somers in England, Adams and Henry in America, has always replenished the old French parliaments, and all English and American public bodies, with orators contending for liberty against military champions of arbitrary power. The French bar, provincial and metropolitan, furnished many advocates of free government; to which commerce, literature, and science, likewise contributed their proportion. In times of belligerent emergency, that class was overruled by the soldiers and the titled aristocracy; but in all

contests between a monarch and those he calls his people, lawyers have revived those principles, which, like Lutheranism in Germany, Jacobinism in France, representative government in England, and democracy in America, have been, for two hundred years, constantly progressive, whether right or wrong; which, if Napoleon had triumphed at Waterloo, he must have suffered to rule. His mistake was confessed, and that of other arbitrary governors, signalized during his last hundred days, when government worked well, without the least difficulty, with unlimited freedom of the press. Nor can it, I think, be denied that, as Napoleon himself said, liberty is the spring of all public and individual prosperity.

Bonaparte, one of the people, natural champion of their rights, heir of the revolution, avenger of the people's wrongs from royalty, in his last acts shrunk from the people and the great reforms of the revolution. The six hundred and twenty-nine members of the National Assembly he convoked met at Paris, the 3d of June, 1815, mostly well disposed for constitutional monarchy. The day before their organization the Emperor met them, together with the army, the militia, the ministers, and the people, in the Field of Mars, at one of those great Parisian ostentations which, like all such popular displays, impose more than they empower, and rather mislead than inform. He appeared delighted with a demonstration which seemed to reintegrate him in national confidence, though most of the same city crowd, with like enthusiasm, would have cheered King Louis, if not the Emperor Alexander: a crowd not of mere people, not the French plebs, but the shop-keepers, the office-holding or hunting class, the courtiers of power, the lovers of show, the aristocratic vulgar, like Talleyrand's handsome niece, the Duchess of Dino, on horseback behind a man, when Louis XVIII. was to be idolized. Few signs of the times are more fallacious than street crowds, cheering any object of momentary excitement, but seldom to be relied on as tokens of popular sentiment. A large number of the military and deputies, entertained by him in his palace, was an equally delusive demonstration. When the representatives of the people from all the eighty-six departments of

France came to be organized, a spirit at once displayed itself, which proved the radical error of Napoleon's tenacity. Uncertain whether the falling royalty or the imperial dictatorship would be restored, numbers of the members inclined to republicanism, which never, since the revolution began, however laid aside, was totally suppressed. Many of those Napoleon dreaded as Jacobins, those called *voters* (that is, who voted for the king's death) and conventionalists, members of the first revolutionary convention, had seats in the chamber of June, 1815. There were also many Bonapartists; but several of them, and a decided majority of the whole assembly, upheld the Emperor, not to found a dynasty, but as champion of the country; averse to the Bourbons, but suspicious of Bonaparte, whose long tyranny they were resolved to reform. Contrary to our common American, which is generally little more than the English impression, it was an enlightened, patriotic body of able men, men of education, of property, of settled free principles; more tumultuary and inconstant than the representatives of England or this country are, but not therefore, because their passions were French instead of English, to be deemed either incapable or unworthy of free government. It was obvious, from first to last, that they were not like Napoleon's Senate and Legislative Body, mere satellites of his sun. In open defiance of all he could do to get one of his ministers elected president, the chamber chose Lanjuinais, a conventionalist and constitutional monarchist of tried patriotism, firmness, and worth, with whom the Emperor ought to have been satisfied, though he was not. A young lawyer, since constantly distinguished in French politics, now (1850) president of the first Chamber of Deputies under the republic, Dupin, objecting to the Assembly swearing fidelity to the Emperor, his motion was overruled. But in their answer, of the 11th, to the Emperor's speech, on the 7th of June, the Assembly told him plainly that the national representatives would rectify what was defective in prior constitutions and compromises; and Napoleon's last words, the imperial reply, warned the members against idle discussion, when action was indispensable.

National independence was of higher necessity than consti-

tutional guarantees. Still one executive sovereign, elected by the people, cannot control some hundreds of legislative sovereigns, likewise empowered by the same people, whom it is worse than vain to chide, by telling them that they must act and not talk; fortify the country against foreign foes, and not till that is done vouchsafe it from encroachments by its own servants. Several hundred assembled deputies of a nation will discourse, even though twelve hundred thousand enemies, as the Emperor Alexander said of that crisis, are marching to invade their constituents. It is a question how far La Fayette went, or was for going, in opposition to Napoleon, in that Assembly. Beholden to him for the noble generosity, without instruction from the Directory, of making La Fayette's enlargement, after five years' incarceration at Olmutz, an article in the treaty of Campo Formio, that republican, as he was called, became extremely hostile to the Consul and Emperor, rejected his several proffers of distinction, and must have had his aversion as citizen much embittered by his anger as father, when his son obtained no promotion in the French army, after long and meritorious service. Inclining to the Bourbons more than to Bonaparte, La Fayette waited on the king, after his first restoration, but never on the Emperor throughout his whole reign; seized the first occasion in the Assembly for denouncing him, and for offensively saying that it was to be seen whether it would be a national representation or mere Napoleon club. Accused of endeavoring to unite Carnot and Fouché, the revolutionary members of the ministry, with himself in a plan to dethrone the Emperor, La Fayette's opposition and fear of renewed despotism were manifested in every way, till at last he was the immediate mover of Napoleon's third abdication, final overthrow, and the resulting subjugation of France, when Joseph, always a mediator, attempted in vain to convince La Fayette of Napoleon's sincere attachment to free government.

On the 12th of June, 1815, leaving Joseph president of the Council, with Lucien and the ministry to conduct the government in his absence, the Emperor left Paris for the army. His insuperable aversion to popular freedom, and consequent dissidence with the Chamber of Deputies, precipitated the

campaign, inducing him to undertake the aggressive, when it was his own judgment that it would have been wiser to stand on the defensive, by waiting in France till the Allies invaded, which they could not have done with any effect before the middle of July. The Prussian and English armies were alone on the frontiers; the Russians and Austrians could not arrive for some time; and, at all events, it was better to be attacked than to attack. But speedy victory in arms seemed indispensable to triumph over the Chamber of Deputies, for which Napoleon was less qualified than a field of battle. The battles of Ligny with Blucher, and of Waterloo with Wellington, were therefore precipitated. And, after his defeat, the Emperor's apprehension of a jealous popular assembly induced him, when he should have staid with the army, to hurry back to Paris, without rallying the scattered troops, giving any order for their retreat, or appointing a commander in his stead. His own judgment was that he ought to stay with the army, as it had been that the army should not have been marched out of France. But, over-persuaded by most of his officers, though contrary to the opinion of some, after issuing orders at the various places he stopped at on the way home, for bringing together from all quarters as many troops as could be collected, he posted to Paris in a carriage with Bertrand, and alighted, near midnight of the 20th of June, 1815, at the Elysian palace, where his nephew now resides as president. The legislative bodies sat every day, except the 18th of June, the day of the battle of Waterloo, which was Sunday. In the course of various discussions several members indicated aversion to the Emperor, but without any alarming measure or even speech. If Napoleon had possessed Lucien's talent for addressing and swaying a deliberative assembly, and had displayed that talent in the midst of the deputies, peradventure he might have saved himself. But, eloquent and admirable talker as he was, composer of the most inspiring appeals to martial and national enthusiasm, able indeed to excite armies by captivating speech, he had no command of that oratory which discourses to bodies of unarmed men; a deficiency he shares with nine-tenths of France. Eloquent and persuasive, not only men but women, in conver-

sation and written composition, abound; but few French can do what in English we call *speaking*; that is, standing erect, excited yet self-poised, in the midst of numerous bystanders, with animated voice and gesture, command their attention, convince their understanding, and charm their attachments. That common attribute of lawyers, and special endowment of some few others, nature, education, and habit, had denied to Napoleon. Serene, cheerful, commanding, and charming in battle, where death was dealing all around him; cool, logical, and eloquent in council; he was abashed and confounded in the tribune, and quailed under the mere looks of an audience. There were one hundred and twenty lawyers elected to that Chamber of Deputies, in which one of the additional acts, drafted by Constant and adopted by the Emperor, provided that no written speech should be read. There had been no discussion in France for many years; neither the Senate nor the Legislative Body being allowed debate. In order to revive it, the reading of written speeches was prohibited by the Constitution, which gave great ascendancy to lawyers, whom Napoleon and his soldiers disliked, and in whose presence he would not venture a harangue. Of the other four hundred members, most were in some way or other public functionaries. But Napoleon was not only speechless, he was, moreover, irresolute; hesitated at that crisis as in others, held back and doubted, when all depended on instantaneous decision. Lucien, on the contrary, was as wisely bold then, and as persuasive in debate, as he had been in 1799. To dissolve the Assembly, and assume the dictatorship, was his unhesitating and unvarying opinion. So was it, Joseph told me, that of Sieyès, another man of resolution and action. But Napoleon was afraid. The army altogether, and nine-tenths of the nation, would have supported his assumption, if he had seized the sword and the purse. But the most wonderfully sagacious, and certainly one of the most valiant of men in the right, with the immense majority at his command, suffered a very small minority, headed by one he contemptuously pronounced a ninny, a weak visionary — La Fayette — with the principle of freedom and the word of the tribune, to overcome vast preponderance of might, against

such a mere enthusiast, with merely moral means. Royal legitimacy had some adherents, and popular sovereignty was with the mass. The Emperor's halting between his own and that sovereignty, with all the inclinations and the powers of the people, if he had espoused them, to crush the feeble remains of legitimacy, suffered his inferior, at the head of a small minority, with nothing stronger than words, to overthrow the whole authority of his government. But La Fayette either had not the power, or was not inclined, to exclude legitimate royalty, which supplanted Napoleon's dictatorship by a sway infinitely more sanguinary, exhausting, and disgraceful. Joseph Bonaparte used often to repeat, with evident gratification, what John Adams told him, when he, with Quinette, visited that ancient, honest, and patriotic patriarch, at Quincy. "La Fayette was wrong," said he; "the Emperor was the true rallying point. The deputies and the country should have stuck to him after his defeat at Waterloo."

The condition of things at Paris, on the Emperor's return there, was extremely critical; and neither he, Joseph, nor any other of his immediate advisers, except Lucien, proved equal to the crisis. Whether La Fayette was right or wrong, his conduct was at any rate fearless; and his last burst of impassioned eloquence, in answer to Lucien's admirable address to the deputies, was worthy of Grecian or Roman oratory. Napoleon thought that he ought, but was afraid, to dissolve the Chamber of Deputies, and assume the dictatorship. The deputies were urged by La Fayette and a few more to insist on his abdication, and if he withheld it, to declare him dethroned. As soon as Fouché heard of his defeat at Waterloo, that most consummate of all traitors immediately wrote to Wellington, was in treasonable concert with, and encouraging the enemies of France, while in constant conference with the chief magistrate he betrayed. A deputy named Jay, tutor of Fouché's children, spoke, moved, and managed in the Chamber of Deputies as Fouché secretly dictated. The contest was earnest and doubtful throughout all the 21st of June, day and night, between the deputies and the Emperor, the house of peers performing a secondary but not impor-

tant part. Lucien Bonaparte and La Fayette, as chiefs, conducted the controversy, with great and equal ardour, courage, and address. The people of Paris were vehement for upholding the Emperor, whom, in Benjamin Constant's generous opinion, the welfare and safety of the nation required the deputies to sustain. Napoleon, though irresolute, extremely anxious to remain monarch, and yielding the crown under compulsion only, was calm, almost torpid, continually pleaded the peril to France by his removal, disclaiming merely personal considerations, and environed by eminent personages, nearly every one of whom deserted him, extolled the virtue and the wisdom of the populace, whom he deserted. "Do you hear," said he to Constant, "those people cheering me. It was not on them I heaped honors and riches. What do they owe me? I found them poor, and I leave them poor. But their instinct of nationality enlightens them; the voice of the country speaks by them. In a moment, if I choose, the chambers would be no more. But one man's life is not worth such sacrifice. I did not return from Elba to drench Paris in blood." The Chamber of Deputies, as a body, was more irresolute and fluctuating than the Emperor. Alarmed by frequent reports that Napoleon was coming with soldiers, as in 1799, to dissolve and disperse them, they feared that Lucien would perform the same part in 1815. Their political existence at stake, they were told they must choose between putting the Emperor down, and suffering him to put them down. La Fayette, and a few more, pressed for his removal, if he did not abdicate. Fouché argued that, if he abdicated in favor of his son, his dynasty would continue, and France be saved. No Bourbonists appeared, but there were some Orleanists. Great numbers of imperialists, too, confidentially urged abdication in favor of the son. Carnot was the only minister that held out, and Lucien the only peer, when the deputies, on the 22d of June, became clamorous in their insistence for abdication. Not one of the Emperor's palace counsellors then stood fast. Even Lucien was at length silent, when members, one after another, from the chamber brought intelligence that he would be outlawed there, as at Vienna, if he did not abdicate, and that the cham-

ber would wait only one hour for it. Thus forced, at last, on the 22d of June, 1815, he sent to the two houses his abdication in favor of his son; which was received by the deputies with acclamations, but that part soon annulled which nominated his son for successor. In the Chamber of Peers several boisterous sessions ensued, through the day and night, Lucien struggling there, not for the Emperor, but his son and a regency; one of the members calling it nonsense to choose a child for monarch who was an Austrian prisoner at Vienna. The result of violent agitation in both chambers, and of the Emperor's abdication on the 22d, was the election, by the joint houses, of a provisional government of five executive commissioners, whose president, the traitor Fouché, contrived to be chosen by voting for himself. Hope that Napoleon's removal would appease the coalition, induced many to make the sacrifice to peace; but selfish calculations actuating most of those voting for it, his deposition was effected almost unanimously. As the condition on which he abdicated was that his son should succeed, his family, and the incumbents of places, flattered themselves that the Bourbons were shut out, and the Bonapartes would continue to govern. The legislative bodies combined assumed the government, and gave it to five dictators, one of whom, by an act of indecent effrontery, substituted himself, with dictatorial powers, for the deposed chief magistrate. The empire of intrigue thus inaugurated, on the 23d of June, 1815, on the motion of Manuel (whose speech that day prefaced his reputation as an orator), the deputies resolved, and the peers reaffirmed, that by the fact of the abdication of Napoleon I., Napoleon II. became Emperor by the Constitution of the Empire. In all these proceedings there was no public appearance of or for the Bourbons, except a party for the Duke of Orleans, of which Fouché was the manager, intriguing against both the elder branch of Bourbons and the Bonapartes, and reckoning Napoleon II.'s nomination the best way to bring about that of the Duke of Orleans. When the Emperor found the two houses inclined to accept his abdication, but annul the condition which he made part of it in favor of his son, he threatened to treat the abdication as evaded,

and to declare himself dictator; to prevent which Fouché intrigued with the two houses to accept the conditional abdication. Apparent sanction of the King of Rome's right to the throne was, therefore, rather to prevent his father's recall of his abdication, than to affirm the son's title.

On the 23d of June, Fouché sent an emissary to Blücher and Wellington, to inform them of the Emperor's abdication: whereupon they put their forces in motion for Paris. But not, it is said, without considerable difference of opinion between Blücher, who was for marching forthwith, and Wellington, who deemed it more prudent to wait awhile; the Prussians actually preceding the English two days' march. Fouché sent to Napoleon that his remaining in Paris would be dangerous; and, on the 25th of June, he withdrew to Malmaison, where General Becker, a member of the Chamber of Deputies and respectable officer of the army, was sent to take charge of the Emperor's person; in which capacity he continued to act with kind and respectful attention, until he left Napoleon on board the English ship. A commission of five, of whom La Fayette was the chief, visited the head-quarters of the allies, foolishly seeking peace. Louis Bonaparte's wife, Hortensia Beauharnois, followed the Emperor to Malmaison, gave him her diamonds for funds, of which he was in great need, and, until his departure, continued to console him with affectionate devotion. His mother and her brother, Cardinal Fesch, were also with him there. The 26th, 27th, and 28th of June, were days of extreme anxiety. The French army, under Grouchy, sixty thousand strong, and well provided with every thing, all warmly attached to the Emperor, arrived near Paris. But many of the higher officers were treacherously contriving their own safety by his sacrifice. Soult had resigned and retired; Grouchy was inclining to the Bourbons; Davoust, Secretary of War, gave himself over to them with shameful indignity. Fouché was hourly contriving to get rid of Napoleon. La Fayette's commission basely proposed to surrender him to Wellington and Blücher. The Prussians were close behind the French army, near Paris. Blücher sent out partisan columns, to capture Napoleon at Malmaison, and swore he would hang him in

sight of both armies. Wellington, while he refused passports for Napoleon's safe conduct to America, dissuaded Blücher from ferocious vengeance, which, Wellington said, would tarnish their laurels. Napoleon, still hoping for some favorable turn of fortune, was lingering at Malmaison; Fouché urging his departure for America, for which purpose the provisional government put two frigates at his disposal. On the 29th of June, between fifty and sixty thousand Prussians arrived near Paris, where a much larger French army was at hand; Wellington two days' march behind the Prussians, and his army, as his published official despatches complained, the worst, and most inefficient he had for many years commanded. French officers, both of the army and national guard, therefore entreated Napoleon to place himself at their head, when so favorable an opportunity offered for demolishing the Prussians, who might be inevitably destroyed, without the possibility of the English coming to their relief. Accordingly Napoleon, on the 28th of June, despatched General Becker to Paris, to ask permission of the executive to make that attack; but Fouché refused. When Becker returned to Malmaison, he found the Emperor in regimentals, with his horses saddled, and all ready for action; but, without permission from the government, or more formal request than he had received from the army, he would not venture a step, which Blücher, in his place, would have risked without hesitation; and which, if successful, might have revived Napoleon's ascendant. Towards evening of the 29th of June, somewhat disguised, in a round hat instead of that he generally wore, plain clothes, and a light summer carriage, accompanied by Becker, Bertrand, and Savary, travelling by themselves, without escort, while his suite, in several ostentatious equipages, followed at some distance behind, and not all by the same road, Napoleon, and his few faithful attendants, left Malmaison for Rochefort, there to embark for America. When he left Paris for Malmaison, it was necessary to send his parade-equipage, a coach and six horses, with outriders and escort, by the public street, while he, in a carriage of humble appearance, went by a back way, in order to avoid the tumultuary greeting of the crowd, the soldiery, and

national guards. On leaving Malmaison, incognito was again practised, not only to avoid notice of the army and the people, but for fear of assassination, which had been attempted in 1814, and other injurious treatment on the road. The farewell at Malmaison was still more affecting than that at Fontainebleau, where many manly tears were shed, when there was yet hope, of which, in 1815, none was entertained, except by Napoleon, though no one anticipated the cruel sufferings in store for his perfidious and barbarous captivity. But for false hopes, fickle minds, and trivial contradictions, there is little doubt that Napoleon might have escaped to America; either on board the frigate *Saale*, Captain Philibert, on board of which vessel he slept one night, or some American or other neutral vessel from Bourdeaux or Havre, several of which were eagerly at his service. The *Bellerophon* ship-of-the-line had been twenty-two years in continual commission, was old, crazy, dull and inefficient; the *Saale* and the *Medusa* were new French frigates; fine sailors, with excellent crews of old seamen, and the whole population of that maritime region, enthusiastically devoted to the Emperor, would have staked all they had on effecting his safe departure; but after every measure for its judicious accomplishment was completed, and he was about to embark, mere trifles defeated the plan. The women who were to accompany him, and some of the men, exclaimed against the method of their distribution in separate vessels; and Napoleon, his characteristic kindness then carried to instability of purpose, yielded to their clamorous outcries. Louis XVIII., reinstated on the 8th of July, sent his agent, the future Admiral de Rigny, who, on the 15th, was far on his way to arrest Napoleon; and the provisional government had ordered his being forcibly deported, so that some determination or other was unavoidable. Savary and Las Casas, sent before on board the *Bellerophon*, were encouraged by Captain Maitland, no doubt candidly, to believe that Napoleon would be generously treated in England. America, abandoned as impracticable, the only remaining option was capture, either by Bourbon emissaries or the British. Between them, Napoleon preferred the latter, and with reason. His treatment of all the Bour-

bons, except the Duke of Enghein, had always been nobly generous. Their return for it would, no doubt, have been ignobly cruel; if possible, worse than that of the English government, of which George IV., a callous profligate, and Castlereagh, verging to insanity with pride of power, were the exponents. I have been assured, by excellent authority, that the Emperor Alexander, when waked up to be told of Napoleon's overthrow, said to Czernicheff, "If he falls into my hands, he shall be safely kept, but with all the indulgence compatible with magnificent captivity." But Napoleon's admiration of the free principles of the British constitution, and of the unconquerable fortitude of the British nation, induced him to consider British captivity preferable to Russian or Austrian. From Joseph's personal intercourse, in 1801, with Lord Cornwallis, he formed the opinion that inflexible rectitude characterizes the well-bred and educated English. Las Casas, whose acquaintance with England was greater than any of the rest of Napoleon's followers, and Madame Bertrand, who, with several others, dreaded a six weeks' voyage, to end in the wilds of America, took the English side of the question with earnest importunity. Finally, the Emperor's fifty followers, with only one solitary exception, flattered themselves, and advised him, that he would be safe under English laws, hospitably guarded by the English nation, and ultimately released. The only protestant against that fatal mistake, was General Charles Lallemand, a sturdy soldier, whom I well knew in this country. Contrary to his vehement and wise counsel, Napoleon resolved to trust England. As he took, for ever, leave of France, the tri-colored flags were supplanted on his two frigates, all the French shipping, and other places, by the white standard of bloody proscription, subjugation, and degradation, with which the country was overrun by the Bourbons and their foreign armies. Napoleon was welcomed as a sovereign guest on board the *Bellerophon*, and also by Admiral Hotham, in the *Nonpareil*, another English line-of-battle ship, lately from the American station, whose attendance at the ball to Decatur, in New London, for celebration of our peace with England, is mentioned in another part of this volume. But in a few days,

taken to the English coast, instead of being honored as the guest, Napoleon was tortured as the prisoner of England. The buccaneer Admiral Cockburn, whose recent American piracies fitted him for any detestable service, performed that of jailor to the ill-fated prisoner, in the line-of-battle ship *Northumberland*, transporting him to St. Helena. Cockburn deprived Napoleon, before sailing from England, of most of the friends who wished to follow him into captivity, and stripped those who remained of their swords; which brutality he also endeavored to inflict on the hero, whose sword was almost the only remaining national symbol left by his cruel captors of his immortal glory. On the 17th of October, 1815, Admiral Cockburn delivered his prisoner to General Lowe, at St. Helena, another barbarian, who tortured him to death, after nearly seven years of inhuman and unexampled execution; his last will, written on that bed of torment, with impassioned indignation, denouncing the assassination of his death. Never was the fallen, dethroned, and incarcerated Emperor so great or formidable as on that death-bed, when all the awe-struck potentates, statesmen, and aristocracy of Europe trembled for their titles, possessions, and divine rights, at the name of their solitary individual prisoner. No iron mask or dungeon in Europe, they proclaimed, would confine him, whom, afraid even to execute, they tortured slowly to death. And dying, as his infant son clung, crying with childish petulance, to the palace in which he was born, so his immense father, with puerile tenacity, in the agonies of dissolution, clung to the title of Emperor, after being stripped of all the power. As General and Consul, having amassed all his best renown, with indestructible vanity he hugged the title of Emperor, which emperors and kings as preposterously refused.

Paris was given up by Davoust to Blucher and Wellington, by a convention or capitulation, termed suspension of arms, executed the 3d of July, 1815; and King Louis was restored by the Prussians and English the 8th of that month, by perfidious, disgraceful, and ruinous surrender. In 1814, though discreditably abandoned by the government, that city was bravely defended by the troops; but in 1815, government,

army, and all, were infamously betrayed by nearly all the great functionaries. Wellington, after passing some weeks among them, informed Dumouriez that there were very few real patriots or good heads in the capital of France. Joseph Bonaparte, long afterwards, declared that the nation was not to blame for what the Chamber of Deputies did. "The French nation," he said, "was not in a coterie of peers, but in the workshops, at the fireside, in the study, in the fields, in all hearts throbbing with recollections of national glories left to them by so many heroes—the nation that welcomed Napoleon at his return from Elba. I remember," said Joseph (as I have heard him often repeat), "that, to the eternal honor of Siéyes, when he heard of the loss of the battle of Waterloo, he came to see me, and finding me conversing with Lanjuinais, president of the Chamber of Deputies, he said: 'If you mean to persuade by talking, you'll have a great deal to do. Give me the right to speak. Lanjuinais,' said he, 'Napoleon has at last lost a battle. He has need of us; he is coming. Let us go and help him, that he may drive off the barbarians. He alone can do it, with our help. After that, and the danger over, if he wants to be a despot, we'll hang him, if necessary. But now let us march with him; it is the only way to save ourselves. Let us save him, that we may save ourselves. The nation will be grateful to us for it; for now he is the man of the nation.'" Joseph added that, beyond doubt, Napoleon desired all the happiness and all the liberty for France and Italy that they were capable of. All that he could do was to pacify them within and put them on the way, leaving it for time to do the rest. Religious settlement with the Pope, the empire, the imperial nobility, the marriage, all those were contrivances to reach an end unknown to those incorrigible, but with their concurrence tending to the common result. Napoleon sought peace with England, and the conquest of all rights proclaimed by the revolution, which the reign of terror, in 1793, outraged. For that purpose all parties must be united and work together for the same end, which would have been the happiness of France, of Italy, of Europe, and immense glory for himself. England successfully

opposed that consummation, and Napoleon perished in the midst of the effort or contrivance, when his real system and end were not yet understood and unmasked.

So said Joseph Bonaparte, whose affection for Napoleon led him to appreciation of his designs more favorable than strict truth will warrant. Joseph was as much of a republican as a man once a king could be. His sentiments were sincerely those of freedom, equality, and fraternity; but neither he nor Napoleon had ever taken that view of their extraordinary elevation and downfall submitted by my, however protracted, yet much abridged, account of such vast transactions. They all tended, I submit, to the final and permanent establishment of peaceable free government; in what precise form may not be foretold, nor is, perhaps, important. The end may not be a republic by name, but some sort of free government, mixed with royalty. The issue, in 1815, is deplored by numberless historical, biographical, and other authors, as caused by the errors of La Fayette, Lanjuinais, and other inflexible advocates of liberal institutions. The misconduct of the Chamber of Deputies convoked by Napoleon, which, more than Waterloo, contributed to his overthrow, is condemned as outdoing the Roman Senate besieged at Byzantium. Representatives of the French people discussed constitutions, bills of rights, and declarations of principles, till the Prussians actually marched conquerors into Paris, drove the debaters from their hall, and closed it by foreign military force. Next morning the members, with La Fayette at their head, trying in vain to resume their session and futile deliberations, were compelled to retire, and suffer their country to be governed awhile by kings of the old royal, superseding the new imperial race.

Joseph often told the following anecdote of Napoleon and Massena, whom the Emperor considered the most fearless of his marshals. After the Emperor's exile to Elba, when Massena, as one of the marshals of France, among a crowd of other courtiers, was surrounding Louis XVIII. at one of his audiences, he overheard the king say softly to a royalist urging more reaction, "Not too fast. Slow and sure; we'll do it all in time." Alarmed and disgusted by that disclosure, Mas-

sena joined Napoleon cordially when he returned from Elba, who gave him command of the south, near Corsica, and, I believe, including that island. Before he went to assume that command, he said to the Emperor: "If you should be unfortunate, take refuge in Corsica; I will go with you, and there we can make head against the world." But the Emperor declined that, as he did all similar suggestions and expedients for escape, by what he inflexibly rejected, as efforts that might and probably would fail, and then would disparage him, as a mere adventurer, instead of the vast conqueror, emperor, dictator, and hero he had been. I am assured also, by a person near him in his last struggles, after the second abdication, that Napoleon was disabled by fatigue, exhaustion, want of rest, and physical incapacity for any great resolution or exploit, when Lamarque's forces on the Loire, or Clausel near Bourdeaux, offered better and worthier means than Massena's project.

On the 14th of July, 1815, Captain Maitland's declaration was, that he had then no safe-conduct for the Emperor; but that, if he desired to embark for England, Captain Maitland was authorized to convey him there, and to treat him with all the respect, and even regard, due to the rank he held. On the faith of that assurance, the Emperor repaired, with his suite, on board the *Bellerophon*, there surrendered accordingly, and was received with all the military honors. The letter which, on the 13th July, he wrote to the prince-regent, putting himself under the protection of the British laws, was made known to Captain Maitland, to whom, as the Emperor stepped on board the *Bellerophon*, he said, "I am come on board your ship to put myself under protection of the British laws." In the reign or life of George IV., into whose hands Napoleon, unfortunately, put himself, representing the sovereignty of Great Britain, I am not aware of any one act of exemplary, generous, or manly conduct. Sensual, puerile, and callous, he lived, reigned, and died, a contemptible man; from the time when he was disgraced for cheating at a horse-race, to that when his kingdom was disturbed by his indecent attempts to divorce a wife, the mother of his daughter and heir-

apparent. His father's chancellor, Eldon, whom he kept in place by shameless tergiversation, spoke no doubt his princely master's sentiment, when mentioning the Emperor as *that fellow*. The ministerial declaration of the 30th July, 1815, apprising Napoleon that he was to be transported a prisoner to the island of St. Helena, in order that he might not again disturb the peace of the continent, assured him before the world that the climate was healthy, and the local situation would permit his being treated with more indulgence than could be done elsewhere. I am informed by M. Archambault, who was with Napoleon as coachman during part of his confinement at St. Helena, and till sent away by Sir Hudson Lowe, that O'Meara's account of the Emperor's treatment and sufferings there agrees perfectly with all M. Archambault saw and heard. He is now a respectable store-keeper in Philadelphia, fully entitled to credit, and with no motive to misrepresent, beyond the feeling of attachment which may color, but should not falsify a statement.

The manifesto against Napoleon, executed at Vienna, the 13th March, 1815, by Russia, Austria, Great Britain, Prussia, France, Spain, Sweden, and Portugal, which denounced him as an outlaw, delivered to public vengeance, was the most remarkable act of national proscription ever individuated. If captured by Blücher, he declared his determination to hang the Emperor without trial. Wellington remonstrated against the impolicy of that act, but perfidiously suffered the restored Bourbons to execute Ney. If Napoleon had fallen into their hands, the Sicilian Bourbons, by Murat's execution, showed what the French Bourbons would have done with Napoleon. Compelled by Fouché to leave France, refused by Wellington the passport to take him safe through English fleets to America, misled by his attendants to trust the British government, on the 15th of July, 1815, the Emperor went on board the *Bellerophon* as a guest, soliciting and promised, by Captain Maitland, protection. All that followed was not British law, liberty, or magnanimity, but ministerial and royal violence. On board the British ship the Emperor was in England, under the flag and law of that great kingdom. Not suffered to land,

however, no legal proceeding for liberation was practicable. So mistaken was their great enemy's conception of British sentiment, that not a man, not a press, not a single voice was raised in his behalf. Castlereagh's peremptory illegality was unanimously upheld and applauded. From July, 1815, when Napoleon surrendered, till April, 1816, when an act of Parliament was passed, he was captive, but not prisoner, condemned and confined without sentence. The prince-regent, in his speech to Parliament, did not mention him; the act of Parliament spelt his name with *u*; the prime minister, Castlereagh, told Parliament he was Corsican; the Lord High Chancellor Eldon called him *that fellow*; his brother, the admiralty judge, Grant, master of the rolls, Ellenborough, the chief justice, Lord Liverpool, the legists and statesmen of the crown, taxed in vain their wits to establish legality in the detention of a captive, whom it was resolved to imprison for life. As there was no war between France and England, when he surrendered, he was not a prisoner of war. Can there be war against one person? Or was Napoleon, as was said to be Wellington's opinion, a rebel traitor, in arms against the lawful sovereign of France? The act of Parliament of the 11th of April, 1816, is entitled, to regulate intercourse with the island of St. Helena during the time Napoleon Buonaparté shall be detained there; interdicting all intercourse with the island, but by special permission, as high crime and misdemeanor, severely punishable. After three sections, providing for that purpose, the fourth section declares, that whereas it may have happened, from the urgency of the case, that *orders may have been given, acts done, and means used not strictly justified by law*, therefore all persons so implicated are justified.

There was an act of Parliament unanimously passed; but, except that Parliament is omnipotent, there was no law for Napoleon's cruel retention, by the greatest exigency of state necessity. Doubts had been entertained, Castlereagh's brief speech confessed, as to the competency of the crown to detain Buonaparté a prisoner after the termination of hostilities. Its justice he asserted, because, if a sovereign prince, he violated a treaty; if not a sovereign, but a Corsican subject of France,

then his sovereign had not demanded his restoration. The policy of the measure was due to public safety and general peace. Every indulgence, the prime minister promised, should be extended to Buonaparté, consistent with his safe custody. Brougham, representing the opposition, spoke, approving the confinement, but bespeaking lenity. In the lords' house Fox's nephew, Lord Holland, put a brief, manly, eloquent, and solitary appeal to British magnanimity on the journal, by his single protest. Not another voice in either house was raised in behalf of their vanquished victim, held, confessedly, by illegal act, till validated by parliamentary omnipotence.

Of Napoleon at St. Helena, I am able to add but one important fact to the particulars of his sufferings there published by others: which is that he never attempted to escape, but underwent his cruel captivity, if not with resignation, at all events with submission. Among the English governor Lowe's numerous barbarities was depriving the prisoner of his friends, physician, and servants. Las Casas and his son were sent away, and the surgeon, O'Meara; so that when Antomarchi, the Italian sent by Cardinal Fesch to supply O'Meara's loss, arrived there, in September, 1819, Napoleon had been a year without a physician, and attacked by the painful disease which proved fatal. Bertrand and Montholon, with their wives, were the only associates left for the Emperor's long lingering illness. On the 2d of April, 1821, when a servant mentioned that a comet had been seen in the east — "A comet!" said the Emperor with animation; "that was the precursor of Cæsar's death." On the 15th of April he shut himself up, and made his last will, perfectly conscious of his approaching end. "These are my final preparations," said he; "I am going; it is all over with me." Dr. Antomarchi answering that there were yet many chances in his favor — "No more illusions," replied the Emperor. "I know how it is; I am resigned." To the attendants round his bed he spoke with the utmost kindness, and of his approaching dissolution calmly, sometimes gayly. "I shall meet my brave comrades in Elysium," said he, "where we will talk over our wars with the Scipios, the Hannibals, the Cæsars, and the Fredericks;—unless, indeed,"

he added, with a smile, "they should be afraid below of seeing so many warriors together." To the English surgeon, Arnold, he caused his valedictory malediction on the British government to be translated by Bertrand, as the Emperor dictated it to him. "The British government has assassinated me slowly, by piecemeal, and with premeditation; and the infamous Hudson Lowe has been executor of their high deeds. Dying on this frightful rock, deprived of my family and all communication with them, I leave the opprobrium of my death to the reigning house of England. I should have been differently treated by the Emperor Alexander, the Emperor Francis, even by the King of Prussia." On the 21st of April, he asked for the succor of the Catholic religion, in which, he said to the priest, he was born, and whose duties he desired to fulfil. On the 28th of April, he directed Dr. Antomarchi to make the autopsy of his body, carry his heart to his dear Maria Louisa, and tell his mother and family that he died in want of every thing, abandoned, and in the most deplorable condition. On the 29th of April, after enjoying a draft of the little good water there was at St. Helena, which had been brought from a spring a mile off, he said: "If after my death they do not proscribe my corpse, as they have my person; if they do not refuse me a little earth, I wish to be buried near my ancestors, in the cathedral of Ajaccio, in Corsica, or on the banks of the Seine, in the midst of the French people I loved so much. If not allowed to be buried there, let my body be put where this sweet pure water flows." On the 2d of May, he was delirious, with increased fever. On the 3d, in possession of his reason, he told his testamentary executors, Bertrand and Montholon, that, about to die, he had sanctioned the principles infused into his laws and acts, not one of which he had not consecrated. "Unfortunately, circumstances were adverse. I was obliged to be stern, and to put off. Reverses came. I could not unstring the bow; and France was deprived of the liberal institutions which I designed for her. She will judge me indulgently, will look to my intentions, cherish my name, my victories." The 4th of May, 1821, was a day of frightfully tempestuous weather, the rain falling in torrents, the wind

raging with the greatest violence, laying waste the plantation, beating down Napoleon's favorite willow, the one only solitary green tree left standing by the storm, being at length torn up and thrown down in the mud. But all the noise of the hurricane did not rouse Napoleon from his stupor. At half-past five o'clock in the afternoon, he murmured some incoherent words, and at eleven minutes before six, with a slight foam on his lips, he expired. Governor Lowe, persecuting the fallen Emperor's dead body, would not suffer it to be taken to Europe, nor buried with any other than military honors, when laid in the earth at the foot of the willow shading the spring of water he was fond of; where, marked by a plain stone, without any inscription, it reposed during the eighteen years of solitary interment which preceded the ostentatious conveyance of his remains from St. Helena to Paris.

Enemies too many and too powerful were dependent for their crowns and ministries on his removal far from Europe, either by death or perpetual confinement, to allow law to be pleaded or justice to be done. The great powers of nearly all Christendom united pronounced his doom, which Great Britain was eager and proud to carry into execution.

Unexpectedly incident to that sentence, this country was constrained either tacitly to participate or, probably in vain, resist, what all Europe combined had determined to enforce. On the 3d of July, 1815, a convention was signed at London, by Messrs. Adams, Clay, and Gallatin, for the United States, and Robinson, Gouldburn, and Adams, for Great Britain, to regulate the commerce between the territories of the United States and of his Britannic Majesty; by the third article of which the vessels of the United States were authorized to touch for refreshment, but not for commerce, in the course of their voyages to and from the British territories in India, or to or from the territories of the Emperor of China, at the island of St. Helena. After that commercial convention was ratified by Great Britain, the 31st of July, 1815, and before its ratification by the Senate of the United States, on the 22d of December of that year, the British chargé d'affaires at Washington, Anthony St. John Baker, on the 24th of No-

vember, 1815, officially informed the American Executive that, in consequence of events which had happened in Europe subsequent to the signature of the convention, it had been deemed expedient and determined, in conjunction with the allied sovereigns, that St. Helena should be the place allotted for the future residence of General Napoleon Bonaparte, under such regulations as might be necessary for the perfect security of his person; and resolved for that purpose that all ships and vessels whatever, as well British ships and vessels as others, excepting only ships belonging to the East India Company, should be excluded from all communication with or approach to that island. It had, therefore, become impossible to comply with so much of the third article of the treaty as related to the liberty of touching for refreshments at the island of St. Helena, and the ratification of that treaty would be exchanged under the explicit declaration and understanding that the vessels of the United States could not be allowed to touch at, or hold any communication whatever with that island, as long as it should continue to be the place of residence of Napoleon Bonaparte.

The Senate of the United States, in December, 1815, ratified the convention of the preceding July, with knowledge of that British alteration. On the 20th of October, 1818, the convention of 1815 was extended for ten years more by another convention, executed for the United States by Mr. Gallatin, their minister to France, and Mr. Rush, their minister in England. Thus, from the time of Napoleon's confinement at St. Helena until his death there, the United States were passive participants in his punishment, while his brother Joseph was an inhabitant of this country. Napoleon dying there, the 5th of May, 1821, on the 30th of July of that year the British government gave ours official notice that the restriction was at an end.

One of Napoleon's last acts at the Elysian palace, before he went to Malmaison, was to tell Joseph, as he told me, that he had sent to his residence, rue du Faubourg St. Honoré, copies of the allied sovereigns' letters to keep, as well as Joseph could, and that the originals would be kept and taken

care of by the Secretary of State, the Duke of Bassano. Accordingly Joseph found the copies on the table of his study, when he went home, and left them there with his other papers. Some days afterwards, when obliged to leave Paris, in order to follow the Emperor to Rochefort, he desired his wife and secretary, Mr. Pr  sle, to collect all his papers, secure them in trunks, and send them to several reliable acquaintances, to be saved from the enemies about to enter Paris, which was done; but soon after his departure, the friends with whom the trunks were left, fearing that the Bourbon police would be making search for them, requested Queen Julia (Joseph's wife) to take the trunks back again, which were then removed to her sister's, the princess royal of Sweden, where it was thought they would be safer.

The republicans of the world, and all thinking freemen, have been, unfortunately, and no doubt surreptitiously, deprived of the knowledge and just appreciation of those specimens of imperial and royal unworthiness. They were letters, on various occasions, addressed to Napoleon, both as Consul and Emperor, by the Emperors Paul and Alexander of Russia, the Emperor Francis of Austria, his future father-in-law, the Electors whom he made kings of Bavaria and Wirtemberg—the first-mentioned of whose daughters married Eugene Beauharnois, and the last mentioned, Jerome Bonaparte—and by the Spanish royal family. Some of the disgraceful letters of the latter have been published; but none of the former sovereigns have been subjected to that wholesome animadversion which their exposure would have elicited, to prove how inferior they were to Napoleon in virtue as well as wisdom. Couched in terms of base adulation and rapacious solicitation, those imperial and royal missives were so unlike what is, by the ignorant, commonly supposed, and by most of the wise, who fashion public sentiment, inculcated as regal, that Napoleon often spoke to Joseph with sovereign contempt of their authors, not merely as monarchs, but as men; poor devils, he said, no more fit for thrones than (using a favorite expression of his own) I am to be a bishop. During the hostile occupations of the French capital, in both 1814 and 1815, those original documents are

believed to have escaped the recapture which the conquerors visited on the monuments of art, sent there by Napoleon, as trophies of his conquests. M. Meneval, whose means of information were excellent, says that it is not known what became of those originals, for which, during ten years, the Duke of Bassano searched in vain. From among the originals, of which he caused copies to be taken, by Napoleon's order, for Joseph, the letters of the Spanish princes were missing, the bundle containing them being empty, and a memorandum left in it, stating that it had been delivered to the Duke of Blacas, by order of the minister. The Duke of Blacas was King Louis XVIII.'s first favorite, who may have desired to save the Spanish Bourbon family from the publication of their villanous correspondence. But it seems strange that he did not, if he could, also snatch that of the other sovereigns from exposure. In 1837, Joseph Bonaparte, at London, instituted an inquiry concerning these sovereigns' letters, and ascertained, as far as the partial, for it was not a full and unreserved, acknowledgment of Mr. Murray, an eminent publisher in Albermarle Street, went, that somewhere about the year 1822, what purported to be the original letters were offered to him for sale; but that he refused to buy them, in consequence of some doubts of their authenticity on the part of his advisers and friends. He mentioned the Duke of Wellington as one of those who doubted their genuineness; doubts which, it afterwards appears, as Mr. Murray affirmed, in 1837, had no foundation; and his refusal, founded upon which doubts, he much regretted. Mr. Murray further said, that the letters were represented to him as having been forwarded from the custody of a French marshal, whose name he had forgotten. On naming the Duke of Bassano to him, he said that was it. The letters written by the Emperors of Russia were, at the suggestion of Mr. Murray, offered for sale to Prince Lieven, the Russian ambassador, who gave ten thousand pounds for that portion of the correspondence. There are improbabilities in this statement. The Duke of Wellington, Lord Castlereagh, and several other persons, on seeing the letters, must have been able to decide whether they were genuine. And would

the Russian ambassador purchase his sovereign's portion of them without apprising the ministers of Bavaria and Wirtemberg that they could likewise preserve those of their respective sovereigns from publication? The Duke of Bassano, whose daughter married a son of Alexander Baring, Lord Ashburton, has been suspected of offering the letters for sale; as Mr. Murray, to whom they were offered, said that his offer came from the Duke of Bassano, a French marshal. But that duke was not a marshal, nor, like most marshals, was his dukedom fortified by much wealth. He was poor; and hence suspicion arose of him among some not apt to be uncharitable. But, in all the stages of Napoleon's downfall, the Duke of Bassano remained exemplarily faithful to him; and it is not reasonable to suspect him, without proof, of so base a contravention of what he well knew was Napoleon's disposition of those original letters.

More than one copy of them was taken for preservation and publication, in case of need. The copies given by the Emperor to Joseph were deposited in a trunk, left at the hotel Langeron, St. Honoré Street, which he occupied; which trunk passed through several hands, before being sent to its destination. But when there was question of sending it from Paris to Point Breeze, it was untouched. The important documents it contained had been put, by parcels, in the bottom of trunks of linen and other things, to conceal them from the search of the police.

The Emperor, exasperated and debilitated by inhuman treatment at St. Helena, after enduring its torments nearly four years, when hope of liberation, of kinder custody, and of almost life was at an end, resolved to expose the sovereign authors of his sufferings by publishing their disgraceful letters. The Irish surgeon, O'Meara, who accompanied from Europe the captive, not allowed his own choice of a medical attendant, was charmed by Napoleon's familiar intimacy, as almost any one would have been, even though he had been an obscure individual, instead of a prodigious hero, who was in turn fond of his physician, as any one is apt to be. One of the barbarities inflicted was, therefore, to break up that

cordiality, by which Napoleon was left for twelve months dangerously ill, without a physician. When O'Meara was taken from him and sent away, Napoleon charged that gentleman, on his arrival in Europe, to inform Joseph that Napoleon desired him to give O'Meara the parcel of sovereigns' letters; which O'Meara was directed to publish; "to manifest to the world," said Napoleon, "the abject homage which those vassals paid to me, when asking favors or supplicating thrones. When I was strong and in power, they quarrelled for my protection, and the honor of my alliance, and licked the dust under my feet." Mr. O'Meara's book adds, that the person with whom Joseph deposited the copies with which he was charged basely betrayed Joseph, as some one brought the original letters to London for sale. The Emperor, about the same time, caused Bertrand to write to Joseph to publish his copies of the letters. As all that he wrote from St. Helena was examined by his jailors there, before it was put on the way to its destination, it was known to Sir Hudson Lowe and all the commissioners of custody, who made it also known to their respective sovereigns that the letters were about to be exposed to the world. What occurred in Europe with the originals, or any other copy of them than that deposited with Joseph, I am unable to state, further than as before mentioned. Nor do I know to whom Mr. O'Meara alludes as keeper of Joseph's copies, who basely betrayed him; unless he intended to intimate that Bernadotte got possession of those copies and delivered them to his great northern protector, the Emperor of Russia; which was suspected by Joseph. An attempt to destroy them in this country was suspected also, when Joseph's residence at Point Breeze was burned, the 4th of January, 1820. At that time his house, furniture, and a large amount of valuable property were destroyed by fire, believed to be the work of an incendiary servant, suspected as the instrument of a female member of the Russian embassy in this country, who often sojourned at Bordentown, adjoining Point Breeze. There was no proof of that perpetration, beyond inference, from the strong motive impelling the barbarian patriotism which reduced Smolensk and Moscow

to heaps of ruins, as sacrifices of Russian loyalty. Napoleon's directions to O'Meara to have the letters published were given in July, 1818, and his letters by Bertrand to Joseph, written about that time. Allowing a twelve month or something more for those orders to be made known to the Russian and other governments, and for their instructions to their foreign ministers to prevent the exposure, by getting and destroying the letters, the destruction of Joseph's copies may have been attempted in America early in 1820, when the box supposed to contain them had been ordered from Paris to his American residence. And in 1822 the originals were offered for sale to Murray, the London bookseller. The whole subject, however, is involved in impenetrable obscurity, except the mere existence of the sovereigns' letters to Napoleon, which were seen by too many persons attesting that fact to leave any doubt of it. The iniquities imputed by legitimate monarchy and aristocracy to the alleged usurper of their rights would be relieved of much of their darkest hues by exposure, in their true colors of his accusers, to whom, as he said, his greatest inferiority and fatal demerit was that he could not be his own grandson. Such is the vast and, in some respects, just influence of ancestry, and dread, not always irrational, of innovation.

Joseph Bonaparte, resident with his wife and two daughters at the Luxembourg palace, left Paris on the 30th of June, 1815, the day after the Emperor's departure, to follow him to Rochefort, and embark with him for America. They together examined maps and fixed on the place for residence which Joseph purchased in New Jersey, near Bordentown, between the two chief American cities, Philadelphia and New York. In moments of occasional tranquillity, the Emperor not only talked of his American existence, but gave some orders for horses, dogs, and other means of recreation in exile. Joseph's companions, travelling with him in two carriages, were General Expert, one of his aids as king of Spain; a young attendant, M. Louis Maillard, who became in exile his most confidential companion in America, England, and Italy, as he had been in France and Spain; a young Spaniard, named Unzaga; and a

cook, named Francois Parrot. At Beaujency, where they passed a night, they fell in with M. Le Ray de Chaumont, who desired to sell the Emperor land for his residence in America; and through whose introduction Joseph became acquainted with Mr. James Caret, for several years a member of his American family. Mr. Caret's written narrative of those occurrences is here incorporated with my Sketch, as a more accurate, actual, and indicative account than I can write, preceded by my statement of some circumstances unknown to Mr. Caret, as they have been related to me by Joseph. Encouraged by tidings from his wife at Paris, he proposed to Napoleon to put himself at the head of the forces commanded by General Clausel, at Bourdeaux, and raise the standard of the Empire. Napoleon refused. "If," said he, "I did any thing of that sort, I would take command of the more considerable army under General Lamarque, on the Loire. But any such attempt would be civil war, to which I feel invincible repugnance, which, though it might last some time, would be uncertain in its results, and, if it failed, would dishonor me as an adventurer. Besides," he added, "I have seen too much of the vile time-serving treachery of those whom I have loaded with honors to trust them for such an enterprise." Napoleon was unwell. He was so at Waterloo; the fatigue he underwent prior to which misfortune, and the distress afterwards, had much demoralized him. Joseph's last proposal, at Rochefort, was to save his brother by taking his place, as Lavalette's wife soon after saved his life. He offered Napoleon that, unwell as he was, he (Joseph) would go to bed and stay there for several days, as Napoleon confined by illness, while Napoleon might escape to America, as Joseph, in the vessel he had engaged, and with the means prepared for his passage. The Emperor, however, was averse to all merely fugitive expedients, which he deemed unworthy his great position; and moreover flattered himself that English magnanimity and justice would save him from all but temporary, and that not rigorous confinement.

Mr. Caret's narrative, entitled "Recollections of 1815," is as follows:—

“We were in the last days of June; the Emperor Napoleon had abdicated in favor of his son, and the power was in the hands of a provisional government, of which Carnot and Fouché were the principal members. The enemies allied against France heard of the abdication with joy, and directed their armies with more confidence against Paris. On their side, the French saw the number of their soldiers increasing under the walls of the capital. Grouchy had brought back there his corps d'armée untouched, and it was rapidly increasing by the junction of other divisions, which naturally directed themselves towards Paris. The Emperor, who observed with vigilance every thing that occurred, thought the moment favorable for arresting the enemy in his march, and hastened to offer his services to the provisional government as general-in-chief, thinking, with reason, that the enthusiasm of the army, on again seeing their Emperor at their head, would cause it to make supernatural efforts to deliver the country from a foreign yoke. The generous offers of the Emperor were not accepted, and that refusal determined him to ask the means of leaving France without further delay. The government placed at his disposal two frigates, which were lying in the port of Rochefort. The Emperor set off, on the 29th of June, 1815, from Malmaison, where he had been for several days, accompanied by several generals, and also by General Becker, appointed by the provisional government to accompany him to the place of his embarkation. The next day, I was presented to his brother, King Joseph, at Bellevue, above Sèvres. Naturally timid, I was soon reassured by the habitual benevolence of his conversation, and the expression of kindness that animated his fine face. It was settled that I should accompany him to the United States of America, whither the Emperor also wished to repair. We got into two carriages, and took the road to Orleans. Arrived at Angerville, King Joseph determined to return to Paris, where he had left the Queen and her children, and that he might look after occurrences there. He entrusted me with a letter for the Emperor, and, causing me to be accompanied by one of the persons of his household, sent me off, post, in a little *calèche*. We soon reached Orleans, and followed the fine road that leads to Tours, on the right bank of the Loire. Four leagues from Blois, we perceived, on an elevation to our left, the ancient castle of Chaumont, with its majestic towers, where my wife and children, two sons, were, the youngest scarcely four months old. I begged my travelling companion, Baptiste Dalamon, to wait for me at the post; and, taking a light boat, crossed the Loire, and bid farewell to my family, not knowing what my destiny would be, or when I should be permitted to see them again. Soon I resumed the road to Rochefort; we rode very fast, in hope of overtaking the Emperor; and, arriving at Niort on the 2d of July, at 2 o'clock in the morning, learned that he was still there, at the Prefecture. I went there at once, and was received by General Gourgaud, who introduced me into the apartment of Marshal Bertrand, who was abed, but rose to speak to me. ‘I have a letter from King Joseph for the Emperor.’ ‘Give me your despatch, and in a few minutes I

will present you to his Majesty.' The Marshal came for me, and I was introduced to the Emperor; seated in an arm-chair, with one of his legs extended on another chair; green frock, blue pantaloons, and riding-boots. Holding in his hands King Joseph's letter, he asked me where I had left his brother; and a conversation began, in which Marshal Bertrand took part; for I answered in so low a voice, that the Emperor was obliged to make the Marshal repeat what I said. Informed by a naval officer that the English already blockaded the port of Rochefort, he had him called, and put several questions to him about the strength of the port, and the direction of the winds. During this conversation, having overcome my first moments of timidity, I told Marshal Bertrand that, if the Emperor could embark in an American schooner, whose sailing was greatly superior to the other vessels, he would be much more likely to escape the English cruisers; especially if at first protected by some French vessels of war engaging the enemy; and that, if they could get some other merchant vessel to set off at the same time, success would be more probable, by obliging the English to divide their attacks among a greater number. The Emperor listened to me, and asked the naval officer if there was any American vessel at Rochefort. On his negative answer, I asked him if there was any at Rochelle. 'I do not know,' said he. 'We ought to know,' said the Emperor; 'Marshal, you must send some one there.' As the Marshal did not answer, I offered to fulfil the mission; and the Emperor, fixing his eyes on me, said, 'Well, yes, set off; give him horses.' Marshal Bertrand went for an order from the prefect, who was in an adjoining room; and, soon after, I mounted my horse, after explaining to young Dalamon where I was going, and that I would be back in seven or eight hours; and set off at a full gallop, preceded by a postilion; changed horses four times, and when arrived at Rochelle, hastened to the port, there to make inquiries. Not only was there no American vessel, but the few French brigs that were in port, with their fishing-boats, had stripped off their rigging, and it would have taken more than a week to fit a single one of them for sea. What I saw convinced me that we should find nothing that would serve for what was wanted. I therefore soon went back to Niort, escaping the curiosity of those wishing to know what had brought me to Rochelle. At Niort, I found the faithful Baptiste at the post-house, who told me that the Emperor and his suite had set off for Rochefort two hours before, and we waited, in order not to follow on the same road, in the little *calèche*. The day was far spent, and we had difficulty in procuring horses; the Emperor's suite was numerous, and they were deficient at several relays: in one village, we were obliged to use the mayor's authority to get two farm-horses, which drew us three leagues. At length we reached the gates of Rochefort, at one o'clock in the morning. They were closed; with difficulty we got them opened, and lodged at the Pacha Hotel. At nine o'clock I went to the maritime prefecture, where the Emperor lodged. There was a great bustle in the house; the stair-cases were crowded by naval officers and other military, wishing to be pre-

sented to the Emperor; the persons of whose suite were also busy fixing themselves in different apartments. In the midst of the bustle, after remaining three hours without being able to speak to the Grand Marshal, I returned to the Paclia Hotel, and wrote him a note. A person came from him for me, an hour after, and he received me in a small room. 'Ah! there you are,' said he. 'The Emperor has already asked twice for you;' and he took me into a parlor, where Napoleon was engaged looking at some maps, and the Marshal withdrew. I was about to tell the Emperor of my journey to Rochelle, when he interrupted me, and, taking up a paper, asked me if I knew several American commercial firms, of which he read the names; put other questions to me about the geography of the country, and the distances from one town to another, and then dismissed me. I found Marshal Bertrand in a neighboring room, with several other generals and officers. 'Come back to-morrow morning, at nine o'clock,' said he to me. The following day, at the appointed hour, he handed me an open letter, and looking steadfastly at me, 'This,' said he, 'is a letter in cypher, addressed to you.' It was written in short-hand, by M. Le Ray de Chaumont, proprietor of large quantities of land in the United States, who had sold some to King Joseph in 1814. It was he who recommended me to that prince, and at his country-seat I had left my wife and children; and he desired me to draw the Emperor's attention, and that of the members of his suite, to the lands in the State of New York. I offered to read the letter to the Grand Marshal, telling him that it was written in short-hand, by a method abridged and published some time before. After a moment's silence, he said it was of no consequence, and took me to the Emperor, where he left me.

"That day the Emperor kept me a long time, walking about with his hands behind him, and I following. When he turned at the end of the room, my arms sometimes touched his, and he often stopped, looking in my face, asking me questions, and then resumed his walk. His tone was neither abrupt nor rough, and I soon felt quite at ease with him. The conversation turned entirely on the United States. The Emperor inquired into the details of the powers of the governors of the different States, both civil and military; about the army, the militia, the distances between the large towns, the state of the roads, the breeds of horses, the population of New York and of Philadelphia. As I was speaking warmly of New York — 'I should prefer Baltimore,' said he; and I supposed that his brother Jerome had commended it to him, having resided in that town, and married an American lady there, in 1805. I ventured to speak to the Emperor, also, of M. Le Ray de Chaumont's lands in the State of New York, my father and brothers having resided there for ten years. The Emperor rejected that overture, saying, 'No, no; that is too near the English, and I want to travel some time before establishing myself;' and then he began again his questions on the roads and the horses, and seemed in great haste to set off. 'The winds are still ahead,' said he; and he sat down to examine a map of the Rochefort roadstead, putting, also, several questions to me about my

family, and soon after desired me to withdraw and wait in the adjoining parlor, where I found several generals and officers, who examined me attentively, surprised, no doubt, that the Emperor had kept me so long. After ten minutes, Marshal Bertrand, coming out from the Emperor, said, in an audible voice, 'M. Caret, you are one of us; the Emperor has appointed you his interpreting secretary. You will be in a berth near his Majesty, on board the frigate *La Saale*, where you may have your things taken this evening.' When General Bertrand went out, the Duke of Rovigo congratulated me, and asked for information concerning the commerce between the United States and Mexico, observing that, with a million or two, one might do a good business in it. He had on the table near him two loaded pistols, and when he got up to go down into the garden of the Prefecture, I observed that he put them in his pockets; precautions taken, I thought, against surprise, because he carried considerable sums of money. After dinner, I took my valise into a boat, going to the roads with some officers. As we were going, which lasted two long hours, those gentlemen talked warmly of the Emperor's stay at Rochefort, and of his approaching departure; repeating, several times, that the French navy would save him, though he had neglected it; save him once more, as it did before in Egypt. There were two frigates lying in the road, near the small island of Aix — the *Medusa* and the *Saale*; the latter chosen for the Emperor, on board of which I went. A small room was shown me, where I put my things, and then went back to sleep at Rochefort.

"Next day there was great commotion at the Prefecture, it being observed that the English blockaded the port more closely, with a ship-of-the-line and two or three frigates. The wind still west, and blowing in that direction with desperate steadiness, all were busy embarking stores and effects, and every one had orders to hold himself ready for the first favorable moment for departure. The people, observing these movements, gathered in greater number round the Prefecture, shouting, 'Long live the Emperor!' and every day repeating the same manifestations, which also broke out when the Emperor stopped at Niort; the French people thus seeming to protest against their sovereign's abdication, not believing that one battle lost in Belgium, one hundred leagues from the capital, could determine the fate of the Empire. The generals who left Paris with the Emperor, with whom I talked, told me that at Niort the Emperor had again offered to command the army for the safety of the country, knowing that the enemy had been so imprudent as to separate, the fiery Blücher having gone ahead towards Versailles. The prompt answer he received was a formal refusal, and request that he would leave France immediately; on which the Emperor gave orders forthwith for his departure from Niort for Rochefort. His suite consisted of Generals Bertrand, Montholon, their wives and children, Generals Gourgaud and Lallemant, the elder, the Duke of Rovigo, M. Las Casas and his two sons, some Polish and French officers, Marchand, first valet-de-chambre of the Emperor, and several other persons attached to his house-

hold or to the generals of his suite; forming a total of about fifty persons, who were to be distributed in the two frigates. Next day the tidings from the roads were the same; another vessel was visible in the English fleet, and the news from Paris was no better. Marshal Davoust, who commanded the army under the walls, was said to be busy negotiating with the enemy, and had not supported General Exelmans's movement, who had cut two Prussian regiments to pieces near Versailles. That feat became useless, which, if followed up, might have destroyed the Prussian army that had separated from the English, and then Wellington would have left France. Such at least was the opinion of the moment. General Vandamme told me, at Philadelphia, in 1819, that it was also his opinion, and that he thought they had missed the finest opportunity of taking their revenge.

"King Joseph arrived soon after, and informed the Emperor of the retreat of the army on the Loire, of the suspension of hostilities, and that every thing appeared ready for the return of the Bourbons. On these important communications, the Emperor could delay no longer, but must come to a determination. First visiting the Isle of Aix and its fortifications, where he was received with the same enthusiasm as at Rochefort, he then went and slept on board the frigate *La Saale*. The day the Emperor left the Prefecture, going with M. Unzaga, an ordnance officer of King Joseph's, into the parlor which the Emperor left, and where he had conversed with me, there was an open map on the table, and a pair of small scissors. The map, representing the roads of Rochefort, was the one which the Emperor frequently examined, and on which he had traced, with a pencil, the position of the English cruisers. M. Unzaga taking possession of the scissors, which no doubt had been used by the Emperor, I followed his example, and took the map, which I still keep as a precious remembrance of the great man. But I did not follow him on board the frigate, as King Joseph kept me at Rochefort, and expressed a wish to have me near him. Some days passed, amidst considerable agitation. It was said that the Emperor was invited to join the army of the Loire, which might have been reinforced with all the divisions that General Clausel commanded at Bourdeaux. The Emperor could have contended a long time at the head of his brave soldiers; but the contest would have become a civil war, which he did not choose. General Lallemand was sent to see the situation of La Gironde, at the mouth of that river, where he found the corvette *Bayadère*, with a captain and crew all devoted, and a single English frigate in the offing. An American merchant-vessel had just successfully effected its sortie, without being overhauled. But the General declared at the same time that the white flag was already hoisted in some villages, which it was necessary to pass through; and that if the Emperor wished to go on board the *Bayadère*, he, as well as the persons who accompanied him, must assume disguises. The Emperor refused to escape in that way, or to conceal himself on board a little Danish vessel which was in the anchorage of the Isle of Aix, whose captain seemed sure of being able to conceal him from English search, if he did not succeed

in avoiding their visits in his attempt to leave the harbor. When the wind changed, a new difficulty occurred: the Secretary of the Navy, Decrés, had given orders not to risk the fate of the frigates, so that the courage and devotion of our brave sailors were paralyzed; they were not, by fighting, to try and force a passage to save their Emperor. Time pressed. In that predicament, the Emperor despatched two of his generals, with a flag of truce, to Captain Maitland, who commanded the English station, to explain to him, that, wishing to repair to the United States, he requested a free passage for himself and suite. The English captain replied, that he could not grant the request. Then it was that the suggestion was made to the Emperor, that he should himself determine to go directly to England. M. Las Casas and Madame Bertrand had a great deal to do with that determination. They supposed that the Emperor, having once set foot on British soil, would naturally find himself under the protection of its laws, and that he would not even be detained very long, but hoped that at the end of a few months he would be suffered to set off again for America. He expressed that thought to his brother, King Joseph, who announced to the Emperor his speedy departure for the United States, if possible. They hoped, therefore, to see each other again in the new world. Captain Maitland was apprised of the Emperor's intention to repair on board his vessel, the *Bellerophon*, in order to go to England with his suite. King Joseph sent for me, to inform me of what was passing, and that I was to remain with him; that we would soon set off for the United States. Having left my portmanteau on board the frigate *La Saale*, next morning (14th of July) I went on board to get it, and opened it on deck, to put some papers in it. My head was down, and I had one knee on the deck, when I heard steps near me, a hand pressed my shoulder, and a voice, whose sound had been revealed to me only a few days before, spoke: 'Well, you are going to leave me?' I got up quickly, perceiving it was the Emperor, whom I had not known was in the frigate, in the great bustle there was on board, many persons busy like me in getting their things fixed. I immediately exclaimed, 'What, sire, has not King Joseph yet spoken to you. He is going to the United States, where my father and brothers are expecting me; and your majesty is going to England.' The Emperor's countenance did not express dissatisfaction, but, with a slight motion of the head, as if to bid me adieu, and followed by some officers, he got down into a shallop, which was waiting to take him to the Isle of Aix. I never saw him again. That very day he had a long conversation with King Joseph, who alone could tell what passed in that last solemn interview between two brothers who mutually loved and esteemed each other. The next day (15th of July), the Emperor and his numerous suite embarked in shallops, and went on board the *Bellerophon*, which immediately set sail for England. How the Emperor's noble confidence was deceived, is known; that he was not allowed to land, but refused passports for America, carried by force to an island under the tropics, and exposed to ignoble annoyances, which abridged his life.

"I remained with King Joseph, who conducted himself with prudence in order to escape from his enemies; and, more fortunate than the Emperor, reached the free and hospitable soil of the United States. He trusted himself to M. Francis Pelletreau, a Rochefort merchant; but could remain no longer in that town, for the Bourbons were already at Paris, and orders had been given that the white flag should every where in France replace the glorious tricolor. M. Pelletreau had, near the aspen grove on the sea-coast, a small country-place, with some acres of land and a farmer; to which habitation King Joseph went, accompanied by two persons only, and remained there quiet and concealed for ten days, leaving me at Rochefort, where, by his orders, I purchased several articles for the voyage we were about to undertake,—linen, plate, some books, French classics, the work of M. de la Rochefoucault on the United States, &c. In this interval I went to see him twice, and learned from him that he had sent Pelletreau the son to Bourdeaux, to freight an American vessel, who wrote that he had secured a brig going down to the mouth of the Gironde, where the Prince could embark, the little town of Royau being the nearest point to the river's mouth. King Joseph ordered me to go there, and warn him by express when the brig appeared. I had an American passport, which Mr. Jackson, chargé d'affaires of the United States at Paris, had given me. M. Dumoulin, established at Royau, exercised the office of consul of that nation. He was an obliging man, and endorsed my passport, adding, without much difficulty, the name of one of the persons going to America with King Joseph. During the three or four days that we sojourned at Royau, we had to be very circumspect. The commandant of the place lodged in the same hotel with us, and attracted there a great many officers and persons curious to be informed what was doing. The white flag was already hoisted at Royau. The second day a superior officer arrived, post from Paris, his mission being to have the government of the Bourbons recognised every where. His conversation at table with the commandant and other military men was most revolting; but I had to swallow every thing in silence, in order not to betray myself. After meals, some officers, who had read in my face what was passing in my mind, took me aside, and testified to me their indignation at hearing our brave army treated with such injustice, and foreseeing the fate reserved for all who expressed any sympathy for the illustrious chief whom we had just lost for ever. At last I learned that the brig had anchored before Royau. M. Dumoulin showed her to me, and we agreed that a shallop should be ready at midnight to take us on board, with some friends whom I expected. I sent an express to King Joseph, who arrived in the night on foot, quietly, accompanied by M. Edward Pelletreau, M. Unzaga, and young Maillard. At twelve o'clock the bark had not yet come. We spent two or three hours of painful expectation. The commandant was in a room near us; the Prince might be recognised by some of the officers who were going and coming in the house; and we were relieved from a great weight, when they informed us that the bark was waiting. It was

the 25th of July; the weather was beautiful; the moon shone on our embarkation, which was made cautiously. The tide being favorable, the anchor was raised and sails spread. The brig of two hundred tons, named the Commerce, was commanded by Captain Misservey, a man of about forty years of age, born in the island of Guernsey, but having inhabited the United States for a long time, at Charleston, where he was to return, after having transported us to New York. He did not know the illustrious passenger whom he received on board; thinking that we were persons of the Emperor's suite who were going to the United States. The brig had been freighted in ballast, for eighteen thousand francs; Edward Pelletreau, according to his instructions, having only time to put on board some necessary provisions, and some pipes of brandy. We passed very near the majestic tower of Cordova, and soon Edward Pelletreau, taking leave of us, went ashore with the pilot who carried us out to sea. In the course of the day a sail was descried, and soon recognised to be an English vessel-of-war, bearing down on us—the brig Bacchus. We backed sail, to await the visit of two officers, who soon mounted our deck, but paid little attention to us passengers, and only appeared busied in gathering from the captain details of Napoleon's departure for England on board the Bellerophon. They afterwards returned to their brig, from which they soon gave us the signal to continue on our way. They had not examined our passports. King Joseph had one under the name of Surviglieri, by analogy to Surviliers, which he afterwards bore, being the name of an estate he owned, eight leagues from Paris. Next day a new encounter with the English; this time it was the frigate Endymion. The visit of the officers was more minute; they went down into the cabin, where the captain had refreshments served. The Prince remained in the cabin and in his berth, as a person suffering from sea-sickness. They examined our passports, without asking any questions, and, resuming their conversation with the captain, made him repeat the same details he had given to the officers of the Bacchus. At last they withdrew, to our great satisfaction.

“We had a pretty fortunate passage, light and fair winds carrying us on our way. The Prince, whose conversation had a constantly increasing attraction for me, made me pass very pleasant days, reciting French and Italian poetry equally well, his memory stored with numerous effusions of literature in both languages. Having passed five years of my early youth in Italy, I could appreciate his perfect pronunciation, when he recited the flight of Herminia, and other stanzas of Tasso, his favorite author. The most dramatic passages of Corneille's and Racine's fine tragedies were those which he preferred, with which his voice assumed extraordinary power. With so lofty a political career, what he taught us of men and things was also very remarkable. The captain formed a high opinion without knowing him; and, after our arrival in New York, said he thought it was General Carnot, or at least a personage of as great importance. After thirty-two days' sail, we discovered the shores of the United States, in Long Island,

which, for about sixty leagues in extent, presses up against the continent by an arm of the sea, which has taken the name of the East River, and whose south-west extremity forms one of the sides of the harbor of New York. We were about thirty leagues from that town, and night approaching, King Joseph asked the captain to land us on Long Island, by putting his boat to sea. It would have been practicable, but the captain said that he would find only fishermen's huts there, where he would be very badly lodged, and find great difficulty in getting a carriage, or even horses, to take him to the town; that the weather promised to be fine, and we would arrive the next morning at New York. The Prince, for a long time, insisted on going ashore, as if he had some secret presentiment; and though at last he gave up the design, continued pensive, and retired early. Next morning, the first thing that struck us on going on deck was the tower of Sandy Hook and the light-house of the harbor of New York; several sail entering and departing, and, further off, two ships, that we soon recognised as two frigates, bearing the English flag. We were mute with astonishment, especially when one of the frigates, descriing us, set sail, so as to bar our passage. King Joseph's just apprehensions, of the night before, were almost realized. At that critical moment we were boarded by one of those light schooners, which carry pilots to all the vessels that wish to enter the port of New York. A young American, with a quick eye, and neatly dressed, jumped lightly on board, and took possession of the helm. The helm was his right; from that moment the command of the vessel belonged to him. 'Do you see,' said he to the captain, 'those damned English, hoping to stop our way. But let me alone: the breeze is in our favor, and I will hug the land so close that you will see them soon change their course.' With all sail spread that could be, our brig, as if it felt the danger, ploughed the waters of the beautiful entrance with surprising rapidity. We were soon under cover of forts Richmond and La Fayette, which protect the entrance of the second bay, or rather of the vast port of the first city of the United States. The frigate soon tacked about, and moved off from us. We then asked the pilot why the English cruised about, in these latitudes, in time of peace? He answered, that they had only been there the last ten days, to catch the Emperor Napoleon, who was to have embarked in France for the United States, and had resumed the right of search, which provoked all Americans. Thus the active enmity of the English pursued the Emperor even after his abdication. If they had caught us, they would probably have taken us to Halifax, to Quebec, or perhaps to England, where King Joseph would soon have been recognised, and then they would have transported him to Russia, where the allied sovereigns had decided that he should be taken, as we afterwards learnt. We landed on the wharf of the East River; and, as the Prince wished still to preserve his incognito for some time, he would not go to the principal hotels, but we installed ourselves in a modest dwelling, where a widow lady took lodgers.

"It was thus King Joseph escaped from his enemies, and enjoyed, during many years, all the independence of private life. He soon made himself beloved and respected, and received, at his fine country-seat on the borders of the Delaware, between New York and Philadelphia, the most considerable persons of the United States, without distinction of party or opinion. His house, especially during the first few years, was like a place of refuge, open to all unfortunate persons whom Europe, by violent convulsions, drove to America. The French exiled by the decrees of Louis XVIII., military men of several nations, who had fought gloriously under the French flag, and were forced to expatriate themselves, the Prince welcomed with kindness, answered almost always with his own hand the requests that were addressed to him in writing, enclosing drafts or notes payable to the bearer. His principle was never to lend money; but he gave willingly all that he could, and the sums that he distributed, during the first six years, amounted to a considerable sum.

"The American opinion of the Emperor and his policy was not generally favorable. The English had long distributed their pamphlets and journals among them; and one party, especially, seemed to share their prejudices and animosity against the French. In the space of some years, however, the change of opinion, even among them, was remarkable, which may be attributed, partly, to the gradual effect produced by the conversations and explanations which Prince Joseph never failed to give.

"He was also the benefactor of that portion of the State of New Jersey where he established himself; and when he took leave of the United States, in 1832, the testimonials of universal regret, addressed to him by a people not naturally demonstrative, touched him deeply."

Joseph passed most of a day with Napoleon at the Isle d'Aix, the last time the brothers saw each other. The fallen Emperor conducted the fallen king to the door, when Joseph took his leave. Tenderly embracing, they parted, their attendants and nearly all bystanders in tears; the Emperor looking extremely sallow and ill, having taken physic, and being much indisposed: trivial but actual circumstances, which I state on authority more reliable than that of most history or biography. The Emperor was surrounded by incapable and inefficient courtiers, gentlemen and ladies, all more anxious for themselves than for him; unable to render him any assistance in the numberless little but important affairs every moment demanding practical transaction and management. General Lallemand was, in that respect, the best of his attendants; though not as a man of probity and high-toned fidelity. Las Casas and Madame Bertrand were earnest in

their preference of surrender to England, rather than flight to America; and Joseph often blamed himself for having contributed to that option, by the opinion of the English which his admiration of Lord Cornwallis led him always to entertain and impress his brother with.

At length, safely landed in America, as the Emperor probably might have been, Joseph, still for some time incognito, and the large hotels of New York crowded, took lodgings at an obscure house, kept by Mrs. Powell, in Park Place, where the son of Commodore Lewis happened to be boarding. The Commodore, calling to see his son, and discovering the former King of Spain, whom he had known in Paris, at once respectfully recognised him. Till then Joseph Bonaparte had been called Count Carnot, taken for that distinguished Frenchman by the captain of the American vessel which brought him to America, and visited as such by the mayor and other inhabitants of New York, who were led by Captain Misservey to believe, as he did, that his passenger, from whom he received the large freight, of which he publicly boasted, was the famous Carnot. Joseph told the mayor that he was not Count Carnot, but had reason to keep his real name secret. As Commodore Lewis might have made him generally known, Joseph accepted his invitation to pass a few days at his residence in Amboy, which was the first American hospitality he received. Returning to New York, a French officer, meeting him accidentally in Broadway, with loud and loyal exclamations and demonstrations of reverential delight, addressed Joseph as prince, king, &c., so that it would have been difficult, if necessary, longer to conceal who he was. Ignorant of American institutions, opinion, and freedom, he was not confident, at first, of perfect safety in this country. In conversation with Mr. Clay, at London, not long before, Lord Castlereagh, expressing his confidence that Napoleon would be put down, added his apprehension that he might escape to the United States, which the British premier feared might raise an uncomfortable question between this country and others, as to the delivery or safe-keeping of that formidable fugitive from justice; to which Mr. Clay, in presence of several ministers replied: "Bonaparte

will be quite harmless among us, where individuality is annihilated, and an emperor will be a mere individual democrat, without the least monarchical or alarming personal power." Supposing it right, if indeed not absolutely necessary, as in Europe, to have protection from government, by a passport, to reside unmolested in this country, Joseph Bonaparte, soon after his arrival at New York, set off for Washington, to pay his respects to the President, and get a passport, or whatever other permission would be proper. Arriving at Philadelphia, he found much of the Mansion House hotel, where he stopped, preoccupied by Mr. Clay, who, with characteristic urbanity, insisted on Count Survilliers taking possession of his apartments at the hotel, parlor and chambers, in which the ex-king was comfortably and hospitably lodged. Proceeding as far as the tavern twelve miles beyond Baltimore, where he stopped to sleep, a person met him there from Washington, semi-officially, to explain that his visit to the seat of government was not only unnecessary, but would not be acceptable. Mr. Monroe, then desiderating the presidency, apprehended, it was said, that a Bonaparte or his followers welcomed at Washington, might give umbrage, and, perhaps, prove prejudicial to a candidate. On Marshal Grouchy and one or two more of the fugitives from that French convulsion going to Mrs. Madison's drawing-room, Mr. Monroe instantly left it, as was said, least he should be implicated in civilities to them, of which Marshal Grouchy complained to me, as what he called *platitude méprisable*, despicable meanness. Turned back from his contemplated visit to Washington, Joseph purchased next year, after extensive views of various places Stephen Sayre's (once sheriff of London) estate on the Delaware, near Bordentown, in New Jersey; the location which Napoleon and Joseph had selected at Rochefort, on the map, for their American residence. There Joseph Bonaparte, by the assumed title of Count of Survilliers, in imitation of royal denomination, taken from his French estate near Morfontaine, made his home during five-and-twenty years of American sojourn; travelling occasionally, and, after his visit to England, spending some of his last winters in one of the Girard houses,

Chestnut Street, Philadelphia. His Point Breeze property was enlarged, by successive purchases, to comprise two thousand acres, which it was his great recreation to improve by planting and embellishing with buildings, waters, and roads, so constructed that he had a drive of ten miles on his own grounds. After the original mansion-house was destroyed by fire, in January, 1820, he rebuilt that as an observatory or Belvidere, and turned the former coach-house into a dwelling, adapted to the purposes of habitation, with a range of kitchens and servants' apartments on one side, and on the opposite side of the front lawn, another considerable building, for his married daughter and her husband, with their growing family. Rising always early, and spending nearly all of almost every day abroad, with a hatchet in his side-pocket, and thirty, forty, or fifty workmen, trimming and planting trees, making roads through the woods and along the Delaware, which, more than a mile wide there, borders a finely picturesque park of rolling hill and dale, the Count, as he was generally called, or *Mister Bonaparte*, lived in quiet, gentlemanly, hospitable, beneficent, and philosophical retirement, rendering himself acceptable to the neighborhood by his uniform amenity, simplicity, and liberality, entertaining numerous visitors, and enhancing the value of property in the adjoining village, which doubled its inhabitants under his auspices. A lake was artificially formed from a small stream emptying into the Delaware, and a subterranean passage of brick and mason-work built from the original mansion, afterwards the Belvidere, to the river, and from the second-built dwelling to the wing on the lake. Underground communications were made with both his houses at Point Breeze; with that which was, after the fire, turned into an observatory, called Belvidere, from the river; and with the coach-house made into a dwelling, with the lateral lake-house, built for his eldest daughter and her family. Joseph had a similar subterranean at Morfontaine, his French residence, and such contrivances, I believe, are not uncommon in England. They afford private entrance for the baker, butcher, and others, who supply families, without being seen in the upper and better part of the house; and allow gentlemen to

go down into them, when sometimes they do not choose to be importuned by visitors; in which way, but none other, Joseph Bonaparte may have concealed himself in his. The subterranean passage gave occasion for some of the absurdities with which public opinion was misled concerning the ex-king, his residence and deportment. The subterranean, constructed merely to afford a passage, without being exposed to the weather, was reported to be for escape underground from pursuit; which, it is hardly necessary to say, was a foolish notion. In 1817, the Legislature of New Jersey, by a special act, authorized Joseph Bonaparte to hold and transmit real property in that State; and, in 1825, the Legislature of New York made a similar provision in his favor. In 1821 and 1823, his two daughters, from Europe, with the elder's husband, Charles Bonaparte, visited their father. In 1824, the younger unmarried one, Charlotte, returned to her mother, then at Brussels, leaving many of the chambers in her father's house covered with her drawings. In 1827, the elder daughter, with her husband and children, returned to Europe, by President John Quincy Adams' permission, on board the American ship-of-the-line Delaware. Marshal Grouchy, General Clausel, General Bernard, Generals Charles and Henry Lallemand, General Lefebvre Denouettes, General Vandamme, Colonel Combes, Colonel Amable de Girardin, Colonel Latapie, Colonel and Captain Grouchy, the two sons of the marshal, all officers of the French army, exiled to this country, frequented the Count of Survilliers' hospitable residence; also Regnaud de St. Jean d'Angely; Count Réal, the prefect of police; Count Miot de Melito, an old friend of Joseph and one of his ministers in Spain; M. Lacanalle, a member of the National Institute in France; Count Quinette, ex-prefect; the present Duke of Montebello, son of Marshal Lannes; Eugene Ney, third son of the marshal; two sons of Fouché, well-educated and intelligent young men; nearly all of whom I have met there. Other less conspicuous French, besides Americans, English, and persons of other nations, were welcomed to the constant but unostentatious hospitality of Point Breeze; where personal or political attachment, curiosity, necessity, and various other

motives attracted many persons. A cup of coffee, or tea, as you chose, brought by a servant before you were out of bed in the morning; a meat breakfast, between ten and eleven o'clock; a good library; the host's prolonged and unceasing historical and biographical narrative; horses and carriages, for excursions in the vicinity; shooting, fishing, or whatever pastime you desired, till evening; dinner between six and seven; a drive round the grounds, a game of billiards, or some other amusement, after dinner, till an early bed-time, seldom, if ever, later than ten o'clock, were commonly the day's routine. On Sunday, or any day when crowds of persons, by steamboats from Philadelphia, visited the house and grounds, pictures, busts, and whatever else was remarkable, all thrown open to all, the French inmates were as much gratified by the invariable decorum and orderly conduct of their guests, as they were, by the French furniture, ornaments and arrangement of the ex-king's residence. The Legislature of New Jersey, sometimes in a body, visited there, and were gladly entertained, their host boasting, as I have heard him, with evident gratification, how many bottles of wine they had drunk. His domestic service consisted of a secretary and his very handsome wife, a confidential attendant, four or five men-servants, and a coachman, with the cook who went with the Count from France, and on his first voyage to England, all of whom grew rich (for them) on his bounty. The Fourth of July was celebrated at Point Breeze by all the immediate vicinage, with the household. I have heard it said that the deportment of the ex-king and his household affected royalty, which certainly I never saw, as well as one ignorant of royal forms may judge. A gentleman who had been eight years a king, brother of the greatest monarch of modern times, and not without recollections of recent elevation, was accustomed, from his dependants, to that respect which is hardly ever withheld from age alone in Europe, though much less practised in this country of domestic and personal, political, and, sometimes, peremptory independence. But the Count of Surville was, in his manners and behavior, unassuming and polite, studious to please, and careful to avoid annoyance or offence;

as simple, unpretending, and direct, as any farmer in his neighborhood. From early life accustomed to good society, in the chief places of France and Italy, and habituated to social refinements, his behavior was the polished suavity and forbearance of the best good-breeding: in mixed company, reserved, though unaffected; free and loquaciously communicative with those from whom he apprehended no misrepresentation. Continually, and with unfeigned pleasure, he recalled the humble life of the well-born, but indigent family, who, from total obscurity, shone forth with so many kings, queens, and princes, upon plebeian thrones. Like all those retired from the stage of action, with a long past and short future, Joseph delighted to tell of the wonderful scenes and performers he had witnessed; and never was conversation more rationally fascinating than his in that respect. When I first heard him chat, as he would for hours together, personally familiar with nearly all the imperial, royal, princely, and eminent personages he described; all of them, like the subjects of an absolute monarch, whatever their rank or title, from Joseph's lofty position, individuated, levelled and estimated with perfect freedom and candor—it was reading history, biography, politics, and philosophy in their most attractive pages. Of the Emperor, he always spoke with affection and admiration; of the Bourbons, always with aversion; of the banishment, confiscations, and other wrongs which they inflicted on the Bonapartes, with indignation; but, always mild, though animated, he seldom used harsh or vituperative language. He could not, and seldom, if ever, attempted to speak English. His secretaries and servants conversed with him with more freedom than is common, in this country or England, between menials and their employers. Recollections of former grandeur, and a feeling that he was entitled to the respect due to past or fallen royalty, sometimes appeared in Joseph Bonaparte's conversation. His French visitors and correspondents mostly addressed him as prince; and probably that title was no more unwelcome than that of emperor to his brother. He seldom or never, as was common in his family, spoke of King Louis, King Jerome, Queen Hortensia, Queen Julia, and Queen Caroline. Titles,

everywhere convenient, are much affected in this republican country, although constitutionally forbid. The Society of Friends, who reject even Esquire and Mister, many of them, in polite conversation, are often perplexed for words to substitute as conversational terms of civility. Vanity, a universal inclination of savages, and even beasts, is there any humanity without, or even above it? Joseph Bonaparte declined the crown of Mexico, when tendered to him at Point Breeze by a Mexican deputation. Flattered as he felt by that proffer from former Spanish subjects, who once repudiated his reign, he told them that, after having worn two crowns, he had no wish to try a third; and that, moreover, he did not consider America the soil suited to thrones. All his American experience convinced him that free institutions are best for this hemisphere. In fact, his attachment, even when king, to the reforms of the French Revolution of 1789, remained constantly the same: the royal parts he was called on to perform, and even his brother's imperial dictatorship, Joseph deemed corollaries of that great problem, whose meliorations he never for a moment ceased to prefer and inculcate.

Like Napoleon, however, Joseph was inflexibly conservative: dreaded and detested such demagogues as those who ruled in the Reign of Terror; and, addicted to both equality and liberty, was invincibly attached to law and order, perhaps to royalty, but constitutional and, like that of England, mixed with democratic institutions. He told me, after his return from England, that what he learned there, by comparison between that country and this, had changed some of his former American political predilections; though while there he was uniformly the vindicator of our establishments, but became reconciled to many of the great British endowments and developments of moderate, conservative, and durable freedom. What the English stigmatized as American repudiation of public debts, occurred while he was in England, and he was a considerable loser by American stock investments. The tariff controversy, too, settled in 1832-3, alarmed him abroad for the stability of our Union; and he often told me of, I forget what English bishop, who said to him, "What better can there be, or should

we desire, than the state of things here?" Lucien inclined to the Tories, Joseph said; but Joseph to the Whigs, if not the radicals; and the passage of the Reform Bill had much influence in inducing him to change his residence when he did, from America to England.

La Fayette's misplaced confidence in the Bourbons was soon requited by aversion, and in 1824 he made his well-known visit to America. On the 23d of September, 1824, with the Governor of New Jersey, he paid a visit at Point Breeze to Joseph Bonaparte, negotiator of the treaty by which La Fayette was liberated from the odious Austrian prison of Olmutz. The General's secretary, Levasseur, says that the ex-king appeared much affected by that visit from the guest of the nation, whom he kept to dinner, and treated with a sensibility and cordiality which convinced La Fayette that time had not enfeebled the sentiments of affection formerly testified by Joseph. Before dinner Joseph took La Fayette into his study, where they passed an hour together in private, of which no account is given by the General's secretary. The substance of that conference, as often since told by Joseph Bonaparte, was La Fayette's acknowledgment of his regret at what he had then done to reinstate the Bourbons. "Their dynasty," he said, "could not last; it clashed too much with French national sentiment. We are all now persuaded in France that the Emperor's son will be the best representative of the reforms of the revolution." He therefore told Joseph, that, if he would put two millions of francs (\$400,000) at the disposal of the committee La Fayette indicated, with that lever, in two years Napoleon II. would be on the French throne. Joseph declined the proposal, not deeming the means adequate to the end. As love of money was no part of his nature, it was not the magnitude of the sum that deterred him. When it was suggested that by means of a large sum Napoleon might be rescued from St. Helena, Joseph, without hesitation, offered to contribute all he was worth in the world; and sometimes regretted that his expensive mode of life in America, parts of which, however, were liberal donations to distressed or impoverished followers of his family, diminished his power to afford,

if needed, larger subscriptions toward the expulsion from France of the dull dynasty that mortified and oppressed the nation. Joseph and La Fayette parted on the kindest terms, which were never interrupted, although six years afterwards they differed as much as ever on La Fayette's last, and again unfortunate, instrumentality in the attempt to restore a Bourbon monarch.

M. Levasseur's work mentions the rich wainscots of the ex-king's American house, the display of royal furniture, fine paintings of the Italian and French schools of painting, exquisite bronzes, and marble in elegant profusion. But among them all he thought Joseph did not look happy, because he had not altogether forgot the misfortune he had of being king, when the peaceable possession of so large and fine a property seemed to M. Levasseur, who probably spoke La Fayette's sentiment also, preferable to that of the distracted kingdom of Spain. On the expulsion of Charles X. from the French throne, mainly by La Fayette's instrumentality, correspondence took place between him and Joseph Bonaparte, kind and friendly, yet explicit and controversial, as to the once noble republican general's frequent, indeed constant, preferences of Bourbon monarchs to Napoleon. Joseph always held that, on several great conjunctures, La Fayette misjudged French interest, welfare, and glory: once by his flight from the head of the French army, in 1792; again, by his acquiescence in the Bourbon restoration of 1815; and a third time, when he helped the Duke of Orleans to the throne; all calamitous for his country. Perhaps the vanity and self-esteem inseparable from humanity rendered General La Fayette jealous of General Bonaparte. Nor will it be unjust to add, that La Fayette, as an emigrant, received, if I am not mistaken, considerable sums as indemnity for confiscated property, voted to his family by the French chambers under the Bourbon government. Like Napoleon, never moved by avaricious or sordid considerations, La Fayette's sympathies of caste were, however, with the royalists; and, if not incapable of jealousy, that feeling, as general, may have been excited by the immense superiority of another general.

By expelling that extremely weak prince and one of the few remaining adherents of Bourbon royalty, Charles X., the French revolution of 1830, with its prodigious agitation of all the elements of representative government, not only in France, but in Belgium, Italy, England, and elsewhere, anticipated the Bonaparte hope of restoration, at least to France, and peradventure to power. Two days after intelligence of that event reached this country, on the 5th of September, I visited Joseph at Point Breeze, on the occasion; where I found General Charles Lallemand (Henry Lallemand died sometime before) and a French deputy, Beslay, just from France, all in much excitement. A letter from Joseph, in answer to one from Lallemand, proposing to accompany him to France, Switzerland, or England, in order to be at hand for eventualities, and announcing the principles by which Joseph would be governed, was prepared for publication, with strong hopes that no Bourbon would be enthroned, and that the resulting question between a republic and Napoleon II. would be decided by his choice by the nation. Joseph's doctrine was, that the nation had the sole right to choose and legitimate; but that Napoleon's son had the right of succession, without further action, as proclaimed by the deputies in 1815, unless the nation made some other choice. France he did not deem ripe for a republic; and, any Bourbon king being out of the question, the only alternative was the young Napoleon; which postulates were argued by Joseph's letter to Lallemand. Soon after, Lallemand sailed for France, with Joseph's letters and several thousand dollars advanced to him. The money he never accounted for; the letters he delivered to King Louis Philippe, who told him, as I have understood, to burn them; that nothing by or for the Bonaparte family could be done; but that the Orleanists and Bonapartes had the same interest in France, and that he would employ them, as he did Lallemand, against the old Bourbons.

On the 19th of September, Joseph came again to Philadelphia, and sent for me to the United States Hotel, where, after dining at seven o'clock in the evening, he read to me his several letters to the Empress Maria Louisa, to her father, to

Prince Metternich, and to the French Chamber of Deputies; all asserting the Duke of Reichstadt's rightful succession, and proposing, as his father's nearest male relative, to accompany his restoration. As I suggested the propriety of consulting with Mr. Duponceau, whose counsel as a lawyer and services as notary public Joseph had often used, we went to his office, and remained there in conference till eleven o'clock that night. After considering the several letters, it was settled that I should translate and publish Joseph's answer to General Lallemand, as announcement of Joseph's intention, motives, and principles. But next morning, the 20th of September, came tidings from Europe of the proclamation of the Duke of Orleans, as Louis Philippe, King of the French, inducing me to withhold the intended publication; of which I immediately informed Joseph, who had gone to Point Breeze, and received his letter in answer to mine, approving of it. There were publications in newspapers; but the only one acknowledged was Joseph's letter to the Chamber of Deputies, dated New York, the 18th of September, 1830. Information that the French had chosen a Bourbon monarch, with La Fayette's entire approbation, and with great promise of liberal government, sustained by many if not most of the distinguished Bonapartists, and their general employment, induced Joseph, under such circumstances, merely to verify his letter to the deputies, and make notarial registry of it, as a protest. That was not done till the 30th of May, 1831, when Judge Hopkinson and I testified before Mr. Duponceau that we had seen the letter *towards the middle* of September, 1830. Judge Hopkinson having no memorandum, as I had, to fix the time precisely, *towards the middle* of the month was the phrase used for his sake. Joseph attended at Mr. Duponceau's office, and made arrangements for the official *act* on the 24th of May, 1831; from which time till the 30th of that month Mr. Duponceau was employed drawing the papers in form. Between the 24th and 30th of May, 1831, advices reached here that the Chamber of Deputies was dissolved to whom the letter in September, 1830, was addressed; whereupon Joseph required the official *act* to

bear date the 24th of May, when he attended at Mr. Duponceau's and arranged it, instead of the 30th of May, when the registry was actually completed and made. These contraventions of the 20th September, 1830, and May, 1831, foreshadowed the ill luck which, by the death of the Duke of Reichstadt, totally marred Joseph's voyage to England, in 1832.

Joseph wrote on that occasion, probably, to several confidential persons in France for information, to determine whether he should venture there, or anywhere in Europe; anxious to return to his country, and hoping that it might be as uncle of a new young monarch, to supersede the Bourbon family. The question between monarchy by divine right and sovereignty of the people was fully presented by the French election of the Duke of Orleans; notwithstanding whose election and support also by the English nation, the Bonapartes flattered themselves that they would be recalled from banishment, and perhaps to the throne. Among those Joseph wrote to in September, 1830, was Count Flahaut, a nobleman of the imperial creation, reputed son of Talleyrand by Madame de Sousa, wife of the Portuguese minister in France during the Consulate and part of the Empire. Talleyrand, a lover of Madame de Stael, who was not handsome, and Madame de Sousa, who was, in a boat with Madame de Stael, on Lake Geneva, being asked by her, "If Madame de Sousa and I were both in this boat, and it should upset, which would you save?" wittily replied, "You can swim, I believe?" Count Flahaut, distinguished at the battle of Waterloo by the bravery so common there, and still more by honorable adherence to the Emperor till he abdicated, married an English lady of fortune.

On the 25th of May, 1831, Joseph read to me his answer, dated London the 10th of March, to Joseph's letter of inquiry whether he might safely go to England. Count Flahaut informed him that he would be perfectly safe in England, but unwelcome, inasmuch as the British government and nation sided with Louis Philippe, as king of the French.

Joseph's first act, after the news of the French revolution, was to write to La Fayette, on the 7th of September, 1830, a

letter, to be carried by General Lallemand; but, he being detained a few days by an accident, it was carried by Victor Beslay, son of the liberal deputy of the French house of representatives, whom I met at Joseph's residence. Protesting against any Bourbon as ruler of France, and laying down his favorite positions, that individual families have duties to perform, in their relations to nations, but nations alone have rights to exercise, and among them that of choosing their own rulers, Joseph assured La Fayette that, but for perceiving the name of the Duke of Orleans among those at the head of affairs, he would go at once to France—not forgetting that his nephew had been called to the throne by the deputies, in 1815, dispersed by foreign bayonets. On the 26th of November, 1830, La Fayette answered, as his letter begins, “with all the affection and respect for the kindnesses of which you have at all times given me proofs, and for which my gratitude and attachment could not but be fortified by our last conversation, when we spoke confidentially of the past, the present, and the future.” His letter then explains at large why he preferred Louis Philippe to Napoleon — “your immense and incomparable brother, but whose system, imbued with despotism, aristocracy, servility, and war, would, with glory, restore those scourges.” La Fayette's reasons for personally preferring Louis Philippe are also stated, completely reversed as that judgment soon came to be. On the 15th of January, 1831, Joseph replied by a letter (which, having been mislaid, did not go till again dated, on the 1st of April, with a postscript), defending the Emperor, “forced by the English to war, and by war to dictatorship; which four words contain the whole history of the Empire, whose aristocracy was but the method of reconciling Europe to it.” After Joseph's arrival in England, La Fayette wrote to him again, the 13th of October, 1832, in terms of grateful and affectionate attachment; to which, on the 10th of November, 1832, Joseph replied, with similar regard.

Joseph received many letters, from various persons in France, encouraging his return, by assurances of the favorable state of public opinion to the imperial family, and to its junc-

tion with the republicans, to constitute a national party against the royalists. Victor Beslay, whom I met at Point Breeze the preceding September, wrote to that effect, as did also Colonel Coombes (afterwards killed before Constantine, in Algiers), whose letters Joseph read to me the 4th of April, 1831. At the same time, he read to me a letter from one of the two sons of Fouché, who came to this country, each with the title of Count Otrante, according to the French, unlike the English, method or license of distributing a father's title in parcels among all his sons, instead of leaving it exclusively to the eldest. As before mentioned, Fouché died at Eliza Bonaparte, Princess of Bacchiocci's residence, near Trieste, completely disgraced by the Bourbons he helped to restore, and repentant for the injury he had done to the Bonapartes: rich enough to make his several sons rich; two of whom, after having been kindly received by Bernadotte, as King of Sweden, came to this country. Joseph Bonaparte, with his constant benevolence, having made them welcome at his residence, where I met one of them, on the occasion of the revolution of 1830, employed him to take his letters to the Empress Maria Louisa, to her father, and to Prince Metternich. On the 4th of April, 1831, Joseph read to me Count Otrante's answer, dated, I forget where, in Prussia, stating that he had delivered all the letters to Metternich, who promised an answer. The Count Otrante added, that he had frequently seen the Duke of Reichstadt. I do not remember whether he stated that he had conversed with him. No answer to any of these letters was ever received. The impression in Joseph's family was, that Metternich never delivered them.

Besides the many letters and messages received by Count Surveilliers, in 1831, came M. Goubard, a portrait painter, and M. Orsi, son of a Leghorn banker, in December of that year, sent by Hortensia, the wife of Louis Bonaparte, and her son Louis, urging Joseph to go, assuring him that the movement was propitious for overcoming Louis Philippe; who, though they did not prevail on him to go, yet their

coming impressed him with strong hopes, and tended toward the resolution which he finally took.

The centre of Bonaparte attraction and hope of the family, on the expulsion of the elder Bourbon branch, was the Duke of Reichstadt, then a fine, handsome, intelligent youth, twenty years of age. Proclaimed successively King of Rome, Emperor of the French, Duke of Parma, and Austrian Prince, by the title of Duke of Reichstadt, the birth, life, and death of that offspring of Napoleon's rash ambition, and, as was believed, completion of his utmost hopes, were among the most romantic occurrences of the imperial reverse, the lamentable catastrophe of which began with the marvellous consummation of that child's being torn, apparently dead, from his mother, and, for several minutes, without sign of life, ushered into the world. Brought up in the close but kind seclusion of the Austrian imperial family, and there deprived of his first name, Napoleon II. lived to man's estate, without knowing whose son he was, or ever hearing of his father's exploits, filling the whole globe, except the son's otherwise well-informed and inquisitive understanding. Instructed by those who destroyed and ruined his father, the Duke of Reichstadt was at last apprised, by Marmont, of his marvellous paternity and all its prodigies. Such disclosures were enough to unhinge any mind, and in that of a youth so deeply interested, full of intelligence, distracted between admiration for his hero-father and habitual veneration for his affectionate imperial grandfather, excited a storm of conflicting emotions, which the French revolution raised to intolerable perplexity. The immediate author of his father's ruin was the son's informer. The father's Bourbon supplanters had banished the son and all his family from France, on pain of death. At an English ambassador's young Napoleon became acquainted with Marmont. Another of his father's generals, Maison, was the ambassador at Vienna of Louis Philippe, who, with jealous rigor, continued the law of banishment against the Bonapartes. Revolution threatened, war appeared inevitable. The Duke of Reichstadt was, like most other princes, bred to arms. Not to use them in case of war would be disreputable; to bear them against

either France or Austria would be unnatural. Vienna was thronged by emissaries from France and for France, and from the Bonapartes, from various places of their dispersion, in Europe and America. Montbel, one of the ministers expelled with Charles X., a refugee at Vienna, whose position and associations gave him the best opportunities of indubitable information, says, that a personage, whose name was celebrated in the fasts of the Revolution and the Empire, and mixed with every epoch of their revolutionary convulsions, always famed for talents by the various parties he served, Fouché, visited the Austrian capital, with positive proposals for the Duke of Reichstadt, under the veil of a quite different mission, whose proposal was listened to with such chilling coldness that he soon went away. Numerous other attempts were made to get the young duke to show himself either in France or Italy; carefully developed by circumstantial expositions, explaining the state of parties and resources, their means and objects, and the danger to all the rest of Europe of leaving France without a settled government. "What do you want," said Metternich, "and what do you expect from us?" "That you will let the young Duke of Reichstadt be taken to the frontiers of France, where the magic of Napoleon's name will, in an instant, overturn the frail, tottering edifice, weighing down our country and menacing yours with ruin. We want monarchy by inheritance, but with the will of the people declared by universal suffrage." "What guarantee would the Duke of Reichstadt have for his future?" "The ramparts that would surround him of French love and courage." Metternich rejected all these instances, until young Napoleon, not long after, expired, under the agitation, distress, and disappointment of his predicament. Perhaps the bravest, certainly the most adventurous, of his Bonaparte rescuers, like the Duchess of Angoulême, whom Napoleon called the only man of her family, was Eliza's only child, married to the Italian Count Camarata, who boldly undertook, by herself, to snatch her cousin, the young Napoleon, from Austrian thralldom, and display him before the French nation. What the result of her success would have been cannot be said; but that it would have driven

Louis Philippe from France, as triumphantly as Napoleon drove Louis XVIII., is as certain as the excitability of French enthusiasm and the romantic spirit of French adventure. One evening, as the Duke of Reichstadt was mounting the staircase of the palace, a young woman, wrapped in a Scotch plaid cloak, rapidly approached him, seized his hand, which, in mute fervour, she kissed, with a look of extreme tenderness. "What are you doing there?" cried the prince's attendant, both of them astonished. "What do you mean?" "Who shall refuse," said she, with exalted animation, "my kissing the hand of my sovereign's son?" and then disappeared. A full-length likeness of that extraordinary woman, when a young girl, was among the statues at Point Breeze: remarkable always for her strong resemblance to Napoleon in face, mind, and disposition. With the most active imagination and dauntless resolution, she excels in riding on horseback, handling fire-arms, and other attributes of masculine spirit. Leaving her Italian residence, she repaired to Vienna, without any disguise or male protector, established herself at the Swan Hotel, in the much frequented street Carynthia, rode in the Prater and about the environs of Vienna, wherever there was any chance of meeting the Duke of Reichstadt, and for a long time sought in vain opportunities of personal communication with him. Accosting him, as before described, one evening she at length contrived to have a letter laid on his table, which it took a whole week after it was written to get there, dated the 17th, but not received by him till the 24th of November, 1831, signed with her name, Napoleone Camarata, stating that the man who delivered it would take charge of the prince's answer, and that, if he was a man of honor, he would not refuse her one. "It is the third time I have written to you. Let me know if you have received my letters, and whether you mean to act as an Austrian archduke or a French prince. If the former, give me back my letters. Destroying me, will elevate your condition; but, if you take my advice, and act like a man, you will see how obstacles give way to a strong, calm will. You will find a thousand ways of speaking with me, which I cannot take alone. You can have no hope, but in yourself.

Let not the idea present itself to you of confiding in any one. Know that if I asked to speak with you before a hundred witnesses, my request would be refused. Know that you are dead for whatever is French — for your family. In the name of the horrible torments to which the kings of Europe have condemned your father; think of that agony of the banished by which they made him expiate the crime of having been too generous to them; think that you are his son — that his dying eyes were fixed on your image. Penetrate yourself with so many horrors, and impose on their authors no other punishment than seeing you seated on the throne of France. Take advantage of the moment, Prince. I have, perhaps, said too much. My fate is in your hands; and I can tell you that, if you use my letters to destroy me, the idea of your baseness will cause me more pain than all that others can make me suffer." The Camarata's romantic adventure came to nothing. Her cousin, grandson of Maria Theresa and son of Napoleon, had been too well schooled in Austrian pupillage, to countenance her. Handing her letters and telling her adventure to his tutor, the young duke gave her no answer. She was left unmolested, and he continued perplexed till he died. His illness increased so rapidly that Metternich, in the Emperor's absence, granted the physician's desire, that the moribund youth should try a change of air: permitting him to travel anywhere, except in France. Delighted with that, his first and last liberty, the prince was preparing to visit Naples. But his symptoms grew much worse; and, on the 22d of July, 1831, he expired, in the room where his father slept, when he dictated to his future son's grandfather the peace, of which the dearest trophy was the Austrian wife he there conquered, in whose arms to dream of perpetuating their dynasty, but who, from the corpse of her imperial orphan son, returned to her one-eyed paramour and bastards in Parma.

On the 9th of April, 1831, Joseph read to me a letter from Baron Meneval (his former secretary, and the Emperor's, and who attended the Empress when she returned from France to Germany), and a letter from Count Cornaro, who had been an aid-de-camp of Eugene Beauharnois, both letters dated in

Paris, and abounding with particulars unfavorable to Louis Philippe and promising for the Bonapartes. Cornaro's letter, addressed to Joseph as "your majesty," stated that either Lucien Bonaparte, or Louis, the son of Louis, married to Joseph's younger daughter, Charlotte, would be chosen king of Italy. Many other accounts, from appointed agents as well as friendly correspondents in France and England, encouraged Joseph's return, and recommended certain expenditures, which, to no great amount and to no good end, he incurred for agents and presses to advance his family: one, I remember, for the *Globe* newspaper.

In November, 1831, Mr. Poinsett, since minister to Mexico and Secretary of War, returned from Europe, strongly impressed with the belief that the Duke of Reichstadt would be called to the French throne, if his uncle Joseph put himself at the head of the movement; to whom, at Mr. Poinsett's instance, I made it known. Joseph then read to me a letter from Victor Hugo, confirming Mr. Poinsett's impression; also a letter from Dr. Stockoe (who had been with the Emperor at St. Helena), enclosing a copy of a note from Lord Grey to Sir Robert Wilson, conceding Joseph's right to visit England unmolested, but denying its propriety. On the 21st of December, 1831, Joseph read to me letters from Count Cornaro and Madame de St. Jean d'Angely, dated Paris, from Achilles Murat, in Brussels, and from M. Peugnet, at New York, just arrived from France, all strongly urging Joseph to place himself in England or Switzerland, at hand to sustain a movement for the overthrow of Louis Philippe and restoration of the Bonapartes, which these letters represented as highly probable. The republicans were said to be ready to join the Bonapartists, for whom, in the Chamber of Deputies, Manguin, Salverte, Lamarque, D'Argenson, and other members, were mentioned as favorable to Napoleon II. Neither money nor any kind of clandestine contrivance was deemed necessary or advisable, according to those accounts, or would be of any avail, but events would develop themselves, and all that need be done was to be at hand to second them. Joseph came to Philadelphia on the 24th of December, 1831, to get Stephen Girard

to buy the Black River lands he had purchased of Leray de Chaumont; to be sold, he told me, at almost any price, in order to raise funds for his voyage, resolved to be undertaken next spring, should the Reform Bill become an English Act of Parliament; for in that reform he appeared to place much hope of French movement to produce imperial restoration. Within forty-eight hours of his visiting Philadelphia to bargain with Stephen Girard, that aged French republican died of an attack of influenza, his demise being one of the several untoward circumstances which, with his nephew's unexpected death encountering Joseph Bonaparte on his landing in England, continually counteracted all his plans, until at last, with his nephew Louis Napoleon's frustrated attempt forcibly to overthrow Louis Philippe, disappointment broke down Joseph's health and hastened his dissolution.

Early in June, 1831, I had the pleasure to meet my former Bonapartist friend M. Serrurier (the Emperor's minister in this country at his downfall) and his charming wife. Degraded for his unluckily hasty, hearty adhesion to the Emperor during his last hundred days, and reduced thereby to insignificance, M. Serrurier lived fifteen years in retirement and poverty. One of Louis Philippe's early acts was to reappoint him to the American mission, in which he officiated till soon after that pacific but able king's seeming controversy with President Jackson, for the French indemnity stipulated by treaty to be paid by France to the United States, drove M. Serrurier home from this country, where he had no intercourse with the brother of his former monarch. In 1831, M. de Tocqueville and M. Beaumont, commissioned by the French king to report on the subject of American prisons, and recommended personally by letters of introduction from Levett Harris, American chargé d'affaires in Paris, came to the United States, also, I believe, without seeing Joseph Bonaparte. This country, full of imperial French fugitives in 1815, as ten years before it was of royal emigrants, including Louis Philippe, by his election in 1830 as king, returned them all but the Bonaparte family to their own country.

Throughout the winter of 1831-2, the following spring and summer, Joseph still lingered here, but bent on his European

voyage. His argument was, that, as eldest of the Emperor's family, it was his duty to afford his adherents the opportunity, which they nearly all assured him was good, for restoring the Bonaparte authority. Peter, one of the sons of Lucien, a wild, handsome youth, sent by Joseph to serve under General Santander, in South America, was with him at Point Breeze in May, 1832. On the 5th of that month, Joseph told me that, although he considered things unpromising for the Duke of Reichstadt, yet his agent in Vienna wrote that they were favorable, and that Prince Metternich desired him to stay there. On the 7th of July, 1832, Colonel Collius arrived from Vienna, and by his accounts determined Joseph to go. Colonel Collius had been an aid-de-camp of General Excelsmans, was Flemish born, had a brother employed in the Austrian court, and assured Joseph that things were ripe for the plans by which Napoleon II. was to be enthroned in France. Colonel Collius remained, I believe, at Point Breeze till his departure with Joseph for England. On the 7th of July, 1832, I met him there, together with M. Lacoste, now consul-general of the French Republic in this country, who was a frequent guest and constant adherent of Joseph Bonaparte. On the 19th of July, 1832, he called to take leave of me. Alarming accounts were in the public journals of the extreme illness and probable death of the Duke of Reichstadt, which I was about mentioning to his uncle; but, perceiving that any such intimation would prove extremely unwelcome, as every thing was fixed for his sailing next day, I checked myself, without allusion to them. He was in excellent spirits and health, hopeful, though not sanguine, of a prosperous voyage. Next day, the 20th of July, 1832, he embarked from Philadelphia, in the ship *Alexander*, Captain Brown, with Colonel Collius; Joseph's secretary, Captain Sari, his wife and three children; M. Louis Maillard, Joseph's most confidential attendant during many years, now his testamentary executor; Parrot, the cook who came with Joseph to America; three other men-servants, and one female. General Thomas Cadwalader, going to Europe for the Bank of the United States, concerning the five per cent. stocks, as mentioned in my Chapter 12, Vol. ii., page

273, went fellow-passenger in the same vessel. On the 16th of August, 1832, they reached Liverpool; where the pilot who boarded their vessel gave Joseph his first intelligence of the Duke of Reichstadt's death. Encouraged, by the enactment of the English Reform Bill, to believe that establishing popular sovereignty in England would help to overthrow divine right royalty in France, urged by several of his own family and many of their advocates, and considering that his position and his duty required him to afford, by his personal presence, an opportunity to the imperialists to try their strength with the nation, the senior male member of the Bonaparte family ventured to place himself in England, at hand for any French movement. His mother's extreme old age, and his wife's feeble health, were ostensible motives for the voyage. His mother's plain good sense and strong affection for the son who, after raising her humble family to the pinnacle of grandeur, had been tortured to death in English imprisonment, revolted at the residence of any of her children in England, and disapproved of Joseph's going there; but his brothers, Lucien and Jerome, both needy and extravagant; his brother Louis's son, Louis Napoleon, now President of the French Republic; Eugene Beauharnois's son, the Duke of Leuchtenburg; Joseph's younger daughter, Charlotte, widow of Louis's eldest son, and many of the French, discontented with Bourbon government, visited Joseph in England. An effort was made there to unite the republican with the imperial party, on which errand Messrs. Bastide, Rouen, Thibodeaux, and Thomas, all republicans, visited Joseph, and held long confidential consultations with him, in London. Some of the French military men, unable to go there, met, by appointment, at Ostend, Louis Napoleon, the present President of the republic, who reported, on his return to his uncle, encouraging accounts from La Fayette and Lafitte. Louis Napoleon, young, ardent, and sanguine, went so far in the projected fusion of the imperial and republican parties as to ask in marriage one of La Fayette's granddaughters. But the attempted union of parties failed, as Joseph believed, by reason of Louis Philippe's succeeding to get the republicans to require conditions to which

Joseph would not subscribe. Lucien and Jerome were not parties to that projected alliance. Louis's son, Louis Napoleon, agreed with Joseph in all but one thing: the senior was invariably opposed to all rash, precipitate movement; whereas the young man, more enterprising, insisted on immediate action.

On the 12th of October, 1832, Joseph, by a kind letter, opened a correspondence with which he condescended to honor me, "though he had no news to give, always waiting for answers to demands, to enable him to see what was to be his future, of which he knew no more than the first day of his arrival. Still he wrote, firmly convinced that I was one of his American friends who most regretted the fatal tidings which met his landing at Liverpool. His reception by the population at Liverpool and London, and that which he received from all classes, astonished him, and very agreeably. Opinion was quite changed; and, by the good will he experienced, he might think himself in the United States. It had been out of his power to visit Italy, notwithstanding pressing instances of his mother and his wife, both very ill there. All that had been published of his mother's will was mere invention, for what purpose he did not know. He knew no more in London about peace or war than was known in Philadelphia. He found the public mind in Europe much Americanized. I must not doubt how happy he was to say what he could of our happy country; which satisfied a sentiment of gratitude by performing the duty of a man of truth." On the 13th of January, 1833, he wrote that he "hoped to see me in the United States before the close of that year, hoping that I knew him well enough to think that nothing but a sentiment of duty would detain him in Europe. He was not yet able to go to Italy. His youngest daughter had joined him in London; and in the spring they would see about it." On the 11th of February, 1833, he wrote that "he had heard with great pleasure of the settlement of the controversy between the United States and Carolina: desiring me, if I saw Mr. Clay, to recall him to that gentleman's recollection, by whose reception at Washington, on the point of his departure, he had been much gratified. Nothing should be

omitted to preserve the union of the States, which some modifications of the tariff ought not to affect. Union could not be purchased at too high a price. Its injury would give free scope to the calumnious outbreaks of the puffers of the doctrines of the middle ages. Europe is far from being at ease. The principles of the two ages are at issue. The majority are everywhere agreed to march with the age; organized minorities are invested with all the influences and all the powers conferred by existing political organizations. Great riches are also coalesced among themselves to remain what they are, and even, God helping, to become what they were in the good old times. The issue will be favorable to the progress of human reason: but it is possible that this foreseen success may not be the impromptu you desire. It is not improbable that I shall be with you before the end of the year. The misery is extreme here. He did not think that at any epoch of history a nation has been so oppressed with the weight of fiscal duties, rendering the existence of every individual a problem. Parliament is assembled, and much expected from its deliberations. But you get the English papers, and know as much as I do of the country."

He continued to write thence throughout 1833, '34, and part of 1835, much in the same way. "No individual," he said, "was of any avail; movements must be the acts of multitudes." Disappointed in expectations, never sanguine, he looked anxiously to permanent return to this country. In a letter of the 3d of May, 1834, he wrote —

"What is passing in Europe justifies the apprehensions you had three years since. England is the only shelter from the Holy Alliance; and not so good as America. You are very happy there. Try to be convinced of it, and to preserve your happiness."

On the 19th of July, 1834, he wrote —

"In France a cruel and sanguinary despotism has supplanted the reign of order and liberty, with which good people flattered themselves, and the rogues who raised to the throne the son of Philip Egalité. They have gathered the grain they planted. The nation was violated, after three days, by certain deputies, either sold or duped. It is poor consolation for you and me to have predicted what has happened; and I should be with you as

soon as this letter, if not detained by duties purely domestic, and the absolute will of my mother and wife, whom I have promised to wait here still another year, in the hope that, between now and then, there will be a moment of light in politics, to allow me to go and say a last farewell to an octogenarian mother and a sick wife, both women of the most angelic virtue and sublime resolution. I am more than ever disgusted with Europe, and if I could hope to snatch from it my mother and wife, without fearing to lose them both on the way, you would not be delayed in seeing us all on your happy shores. But, apprehending the fate of the Trojan, I give one more year to filial piety and conjugal love. Politics have nothing to do with the prolongation of my stay in Europe. I believe that time has accomplished, and that the time has already come, which we predicted three years ago, when those who made 1830 are themselves unable safely to conduct the bark for those who will take charge of it after them. See what has befallen your hero. Nothing good, in the end, came of a bad principle. The usurpation of national power by certain individuals, whatever may be their good qualities, cannot have the assent of the popular masses. Fever is in their blood; who is the man of force to appease it and restrain them? America offers a better destiny. I send you a work less irrational than so many others with which the factions inundate the public on Napoleon, to which I have added some marginal notes."

That book and letter were brought to me from England by the Count of Surveilliers' cook, before married in this country, and anxious to return to it, being succeeded in England by Chandeleur, the Emperor's cook at St. Helena. In a letter of the 27th of August, 1834, he wrote —

"The misfortune is, that you and I were right four years ago. Would to God we had been mistaken, and that the three days' revolution, ending by a great political crime, the usurpation, by a few individuals, of the popular power, raising to the throne an individual not voted by the people, had not borne its fruits. But injustice produces only injustice and public misfortune. Try to live quietly, in order to escape the grave which encloses Europe, and from which no one is able to emerge. Or rather preserve, where you are, that spirit of equality, which is individual justice, which I will come to enjoy, and we will make vows that Europe may enjoy too, when tired of the system of deception, of venality, of sordid interest, of envenomed hatreds among all classes of society, who are themselves labored by the demon of avarice to such a degree that, in order to reach wealth, they will have only large budgets, of which the proceeds are disputed at the expense of the people, kept under by the billion of soldiers that cover Europe."

On the 18th of October, 1835, he returned to Philadelphia in the ship *Monongahela*, Captain Brown, after three years'

residence in England, where the social tone, the climate, the facilities for personal intercourse with his brothers and other members of his family, all pleased him. But the expense of living as he deemed it proper, was very great — one year, I believe, as much as a hundred thousand dollars. Still he was gratified on the whole ; and, on the 31st of December, 1835, told me that actual practical comparison between England and America had changed some of his opinions in favor of that country against this. In April, 1836, he told me that Lucien, in and from England, urged Joseph to establish himself in England, in order to be at hand for any favorable opportunity. Lucien was poor and expensive, and, I believe, found Joseph accommodating for his wants. He asked me what I thought of his returning to Europe, where his visit, he said, had been very expensive, as he had to live beyond his means, among the very opulent, whose style of living was very ostentatious. The death of his mother, however, added a hundred thousand dollars to his funds (he told me, sometime afterwards, one hundred and fifty thousand). The impression had been, he said, that he was an inferior man, and he believed that personal intercourse with him in Europe had tended, and would still further tend to remove that impression. As his hopes were in popular elevation, he relied much on O'Connell and reform. With all those impressions, and additional means of living at least another year in England, he suddenly made up his mind to go there again. On the 28th of June, 1836, he wrote to me from New York, that he was there to embark on the first of July, as he did in the ship Philadelphia, Captain Morgan, for London ; whence he wrote to me, on the 16th of August, 1836, that he was not then allowed to go to Italy, but in perfect health, and begged me to believe he stated nothing but the truth, when declaring that he hoped to see me one day on the banks of the Delaware. Next spring, on the 27th of April, 1837, he wrote, complaining of the detestable climate, where the sun was seldom visible ; all his household had had the influenza, and had found the first three years of his London residence much more agreeable in temperature than the last.

His nephew's attempt at Strasbourg, in October, 1836, to overthrow the government of King Louis Philippe, was made not only without Joseph's knowledge, but extremely against his settled and pronounced judgment of what was best. He was inflexibly opposed to all conspiracy, insurrection, and violence of any sort; firmly convinced that all any Bonaparte could or should do was to follow spontaneous popular movements, not lead or force them. I have understood (but not from Joseph, whom I never heard mention the subject) that the Strasbourg revolt was better planned, more formidable, and more likely to succeed than its immediate and apparently easy defeat indicated. Louis Napoleon, arrested, tried, condemned, pardoned, banished, and transported to South America, came to the United States, spent a month or two in New York, and hastened to Switzerland, where his mother was very ill.

On the 30th of September, 1838, Joseph landed, from England, in America, with M. Thiebaut, as secretary, in place of Captain Sari, and M. Thiebaut's daughter, instead of Madame Sari, as the lady of his household. In April, 1839, his family was distressed by tidings of the death of his daughter Charlotte, widow of Napoleon Louis, eldest son of Louis Bonaparte, who died in 1830. By the will of his uncle, Cardinal Fesch, dated the 4th of January, 1839, and who died in that year, a large collection of paintings at Rome, valued at much more than they sold for, were bequeathed to Joseph. Thus induced, and by accession of means enabled to return to England again, on the 25th of October, 1839, he called to tell me that he was to embark at New York the first of November. I spent the evening with him, at his town residence, in Girard Row, Chestnut street, Philadelphia. During his last visit to this country, his health, though still good, was not so invariable as it had been, and he wished to be in town during winter, near Dr. Chapman. With the feverish feelings, hopes, and fears kept up by visits to Europe, dreams of restoration to France, perhaps to high station there, the quiet residence on the banks of the Delaware lost part of its philosophical attractions, and Joseph's calm mind underwent great changes of views. After his return

from England, in September, 1838, he told me, in a long discursive confidential talk, at his town residence, Christmas of that year, that he had no hopes. The powers of Europe, he said, were all against the Bonapartes, who had nothing left for them but the chapter of accidents. They were as much, he thought, opposed to the Bourbons. Eugene Beauharnois had some chance, because Russia and Austria might support him; and all European monarchies were opposed to a French republic. In order to get up some provisional or republican movement, his nephew, Louis Napoleon, had proposed to marry a Lasteyrie, granddaughter of La Fayette, and so unite with him. Talleyrand, Joseph said, used to represent La Fayette to the Emperor as a knave, false and hypocritical, pretending to simplicity; and Talleyrand always strove, from his personal American experience, to prejudice the Emperor against this country. In that conversation, Joseph mentioned the design to marry his eldest daughter (Charles Bonaparte's wife) to the Emperor of Austria; for which, he said, she was educated, one of the emperor's four wives having been sister of the wife of Eugene Beauharnois. Between that conversation, in December, 1838, and his sudden return to England, in November, 1839, Joseph's mind seemed to be quite changed from despondency to confidence. On the 25th of October, 1839, when he called to take leave of me and announce his departure from New York the first of November, he was in good hopes and spirits. Captain Morgan, of the packet-ship Philadelphia, with his family, had paid a visit to Point Breeze, and assured Joseph of a short, pleasant passage from New York to Liverpool, which encouraged his going when he did, sooner than before intended. Although by Cardinal Fesch's will nearly all his property, and the testamentary disposition of it, were bequeathed to Joseph, yet there were small legacies to other members of his family, who were extremely urgent that he should be in Europe to expedite their interests. That business and his wife's infirm health were ostensible motives for his departure from New York, in the ship Philadelphia, Captain Morgan, the first of November, 1839, who landed him in England, after a short passage. Hiring a pleasant house, in Re-

gent's Park, London, he passed the winter there, seeing his nephew, Louis Napoleon, constantly, and inclined to believe that their authorized restoration to France was at hand. French and English public journals coincided in predicting important events soon to take place in France, where M. Thiers was bringing Louis Philippe's administration nearer than it ever had been to Bonapartist and anti-English sentiments. Joseph was led to consider his return to Europe necessary and beneficial to his family and their cause. His reception in England, by all classes, was flattering; government gave orders, such as are awarded only for princes and foreign ministers, that his effects should pass the custom-houses without examination; his health was excellent, and his hopes higher than they ever had been. A letter from a member of his household to me, dated June 1st, 1840, predicted great results, if not a new order of things, from the resolution of the French Chamber of Deputies to transport the Emperor's remains from St. Helena, with great funeral pomp, to Paris. "M. Thiers has opened the barrier. Will he be able to turn it to Louis Philippe's advantage? All the world is occupied with the reparatory ceremony. All the young and generous want to go to St. Helena. The affair must bring about great changes. If the ministry expect to do things by halves and only popularize Louis Philippe, they may mistake; for the masses in France clearly pronounce themselves in favor of the great man and his family."

Just then, and for nearly the last time, Joseph Bonaparte appeared before the world to vindicate his brother's rights concerning the Emperor's sword, which King Louis Philippe took from its depository, General Bertrand, by unworthy royal coercion, placing Bertrand in a very false position. When he visited this country, in 1844, where he was welcomed and fêted with universal respect and admiration, as the most faithful of the followers of the fallen Emperor, General Bertrand appeared to be a mild, modest old gentleman, little like the warrior who followed Napoleon over so many bloody fields. Whether gentleness of spirit, or the almost universal proneness of men to obsequiousness to monarchs, induced Bertrand to surrender

Napoleon's sword to a Bourbon who, in Spain, asked leave to draw his own against him, and was the most jealous and uncompromising of the three Bourbon kings, to keep the Bonaparte family out of France, certain it is that the Emperor's glorious weapon was given up by Bertrand to Louis Philippe with unmanly subservience, when the grand-marshal of his palace should and might have much enhanced his high historical character for fidelity and constancy, by preferring his old master's sword to his new master's favor.

By Napoleon's will, his arms were left to his son, to be delivered to him at sixteen years of age; which bequest his grandfather, the Emperor of Austria, took care should not be fulfilled at that or any other period of young Napoleon's life, whose death, at twenty-two years of age, devolved the arms upon the other members of his father's family. By the will, Bertrand was charged to take care of and keep "the sword which I wore at Austerlitz," together with several other articles mentioned in the same clause with it, "and to deliver them to my son, when he shall be sixteen years old." Bertrand put the sword away in a place of safe concealment, and kept it eighteen years or more, without endeavoring to deliver it, as young Napoleon was always under strict Austrian tutelage; nor was it till 1831 that the fugitive Marmont was allowed by the Austrian grandfather, and his mentor, Metternich, to let the once King of Rome know who his father was, or open the son's mind to that father's marvellous life, death, and history. By that time, the Empress Maria Louisa had become the mother of several illegitimate children; a daughter, who married the son of Count San Viteli, her chamberlain of Parma; a son, called Count Montenuovo, commissioned in an Austrian regiment; and a second daughter, who died a child. It is not certain whether that degraded princess waited her husband Napoleon's death before she suffered an Austrian officer, born in France, named Niepperg, whom she finally married, to become the father of those children. It is said that her disgusting sensuality sought gratification, at last, with her stable-boy. That unworthy relict claimed Napoleon's arms, and other things, on the death of their son. Joseph, in London,

in 1832, hearing of that profanation, immediately took the legal opinion of Odilon Barrot, which resumed an elaborate view of the whole subject by the conclusion that, by the civil law, the arms, &c., devolved on the paternal family of Napoleon's son; by the political law, they are the property of France, and should be delivered to the French government; by which delivery, Napoleon's trustees would satisfy, at the same time, the principles of right, the presumed will of the testator, and the honor of France. Eighteen more of the eminent lawyers of France, among them Philip Dupin and Cremieux, who drew Joseph Bonaparte's will, confirmed Barrot's opinion. On the 28th of August, 1833, from London, Joseph wrote to those legal advisers, that, pursuant to their opinion, Napoleon's arms should be, without any intervention, appended by General Bertrand to the national column, and confided to the charge of the people of Paris. The French government, under Louis Philippe, endeavored to possess itself of those effects of Napoleon. But Joseph's letter, with natural feelings of both affection and aversion, declared that he who received them from Napoleon's hands, with his last sigh, would not betray his vow by confiding them to enemies' hands, of whatever country they might be. After Bertrand's return from America to France, when King Louis Philippe was prevailed upon, by his minister, Thiers, to ask England to allow Napoleon's remains to be transported from their burial-place in St. Helena to France, for that purpose the king's naval son, the Prince of Joinville, was sent with a frigate, and General Bertrand accompanied him, to fetch the remains. Before going, Bertrand, being pressed by the government to deliver the Emperor's sword to the king, published that, to his inquiry of Napoleon what Bertrand should do with the arms bequeathed, in case of the son's premature death preventing their delivery to him, the Emperor said, "Then you will keep them; you may as well have them as another." As soon as this tardy revelation was thus published, Joseph opened a correspondence with Bertrand, who finally wrote that he had no right to the arms, and would deposit them, as Joseph prescribed, at the Hotel of Invalides. On the 9th of May, 1840,

Bertrand, from Paris, wrote to Joseph, in London, that "the Emperor's last wish had become that of all France, which he considered it his duty to accomplish. Even though the result should not be as favorable as we must desire, the arms of Napoleon shall be delivered to the government of the Invalides, and you will recognise, in what remains for me to do, all my desire to be agreeable." Misled by the equivocal terms of that promise, Joseph, on the 20th of May, 1840, wrote from London to Marshal Monecy, then governor of the Invalides, that the Emperor's sword would be taken by his grand-marshal, whom Joseph had charged to deliver it to Monecy, as governor of the Invalides, where his ashes were about to be deposited. But, on the 4th of June, 1840, the sword was handed, at a public presentation, by Bertrand to the king, previous to Bertrand's departure for St. Helena, to fetch the ashes. "I depose," said he to the king, "in your majesty's hands, these glorious arms, which I have been so long obliged to hide, and which I hope soon to place on the coffin of the great captain, at the illustrious tomb destined to fix the regards of the universe." The king acknowledged the deposit, but refused to accept it from the Emperor's family, resisting, as Bertrand wrote to Joseph, his most pressing instances for that purpose. Bertrand, confessing to Joseph his pain at being thus overruled, nevertheless suffered the king to keep the sword in his palace, till the general's return from St. Helena with the Emperor's remains. On the 6th of June, 1840, Joseph, from London, replied to Bertrand's letters with dignity and propriety, protesting against his subserviency. The Emperor's nephew, Louis Napoleon, also, and with more pungency than Joseph, published his protest, in the newspapers, against betraying the trust "by surrendering to one of the *lucky by Waterloo*, the sword of the conquered there."

The treaty of Fontainebleau, of the 11th of April, 1814, was broke in all its stipulations by the Bourbon government, to the wrong of the Bonapartes. Refusing to pay them the sums it stipulated for their support, those royal faith-breakers, insolently apt to hold themselves above contracts, provoked and justified Napoleon's return from Elba to France, not only by

withholding the means stipulated for his support, but by contrivances to get rid of him, either by assassination or transportation to the distant and baleful rock, where, under color of imprisonment, his lingering dissolution was perpetrated. Bertrand's surrender of the sword which, at Austerlitz, dazzled and confounded the brilliant autocrat of Russia, terrified and vanquished the mighty Emperor of Germany, and struck the greatest of British premier's death-blow, was one of the innumerable proofs that the brave-ennobled creatures of Napoleon's Empire were almost all no better than followers of his fortune, constant to that only, faithless to him, to themselves, to honor, and truth. What a contrast Macdonald's even relative fidelity is to the despicable time-serving of nearly all the rest!

The last of the vexations and mortifications Joseph underwent in England preceded so shortly his prostration there by palsy, in June, 1840, that it was supposed to have partly caused that misfortune. At Rochefort, in July, 1815, when about to embark for America, Napoleon made a sort of testamentary disposition of certain bonds or exchequer bills, payable to order, secured on the national forests of France, amounting to six millions of francs, which he told Joseph, if it so happened that they never met again, to use as he might deem that Napoleon would desire. On the 3d of May, 1815, the Emperor was about reimbursing himself and his family twelve millions six hundred thousand francs, arrears of their pension, stipulated by the treaty of Fontainebleau, which the Bourbon government, in violation of that treaty, had not paid. The Emperor would have ordered payment in coin, but that Carnot, his Secretary of War, complained of the scarcity of cash to pay the recruits every day marching to the army, and Joseph suggested that in similar straits, in Spain, he had issued paper-obligations, payable for public dues at the treasury. Instead of taking payment in gold, the Emperor therefore caused bonds or exchequer bills, payable to bearer, to be issued, secured on the national forests. One of Louis XVIII.'s ungenerous acts of wanton and spiteful power, within four days after the battle of Waterloo, was to annul those exchequer bills or bonds. The whole twelve millions six hundred thou-

sand francs, appropriated to pay the Bonaparte family the pensions due to them by the treaty of Fontainebleau, were declared void. In 1840, Marshal Clausel, as chairman of a committee, reported to the Chamber of Deputies a resolution appropriating one million of francs, to pay the charges of conveying Napoleon's remains from St. Helena to France; when a motion, by another member, proposing to add another million, being rejected by vote of the chamber, Joseph, on the 26th of May, 1840, wrote from London to Marshal Clausel, offering to subscribe the additional million, but payable out of the annulled six millions of exchequer bills, which had been buried in a strong box, by M. Clary, Joseph's brother-in-law, and restored to him when he first visited London, in 1832. Two millions of the six Joseph there let his brother Jerome have; two more he proposed, in 1840, to give, of which one million was to pay for transporting the Emperor's remains, and another million to be distributed among the survivors of the Emperor's old guard. But the whole twelve millions six hundred thousand francs issued by the Emperor in exchequer bills, of which the six millions were a part, having been annulled, Joseph's gift of the two millions was therefore not only repudiated by the French government as worthless, but charged as a cunning contrivance to realize an extinguished and unfounded claim. The public journals, and, what was most annoying to Joseph, among them the republican, contradicted and censured his attempt, as they said, not only to bestow what he had not, but to keep for himself the balance of two millions, which would remain and be his property, if allowed to dispose of the other two millions which he affected to give away. Accused of an unworthy attempt to realize what had no value, and make a show of patriotic munificence by a fictitious, if not fraudulent, donation, that was, I believe, the first time when Joseph was ever charged with the duplicity often imputed to Napoleon as one of his Italian characteristics. Joseph's reputation had been that of an honest, but weak and subservient man. In this affair, the double dealing, in which Napoleon's enemies said he dealt, was published as also part of Joseph's character. Instead of any credit for the

gift he seemed to make, the French government press impeached him for a fraud, and the republican press, the French republican party, by which he sought restoration to France and to power, joined in the impeachment. In 1815, at Rochefort, when Joseph asked Napoleon what he should do with the six millions of francs in bonds which he handed to him, Napoleon told him that they would be annulled by the royal government; so that it was in fact a mere demonstration against King Louis Philippe and his ministry that Joseph attempted, in 1840, by means of that confiscated fund.

About the time of that occurrence, Joseph sent to Paris for M. Cremieux, to go to London, for the purpose of drawing his last will and testament. M. Cremieux, an eminent lawyer and member of the French Chamber of Deputies, largely instrumental in the revolution of February, 1848, which dethroned Louis Philippe, accompanied by his wife, went from Paris to London, and there drew the will, on the 14th of June, 1840, which was not signed and executed till the 17th of that month. Meantime Joseph was struck with the palsy, from which, though much relieved at first by copious bleeding, and afterwards still more by the tepid baths of Wildbad, in Germany, he never entirely recovered. His right hand and leg and all that side were rendered extremely feeble, sometimes useless.

Then seventy-two years old, disappointed in most men, disgusted, mortified, harassed, and tried beyond endurance, struck down by the paralytic attack, which nearly deprived him of the use of half of his body, he languished four years, till relieved by death. A hearty feeder, and so extremely abstemious of drink that it seemed to me his health would have been better for eating less and drinking more, in addition to the vexations of his life in London, deprived there of the robust exercise which at Point Breeze was his daily enjoyment, out of doors from sunrise to sunset, perhaps in this country Joseph might have lived longer. Shortly before he first went to England, excellent in health and buoyant in spirits, he spoke to me cheerfully, almost merrily, of living as long as his mother, who survived till eighty-four years old. But from the time he left

America, exercised by alternate hopes and fears, till at length highly excited to encouragement by the translation of the Emperor's remains to France, still tormented by exclusion from his country, provoked by King Louis Philippe's spoliation of the Emperor's talisman sword, and mortified by the recoil of his unlucky proffer of additional funds to commemorate the Emperor's glory, his brother Joseph sunk.

From his landing in England, in August, 1832, when the fatal death of the Duke of Reichstadt encountered him, throughout his eight years of fitful, equivocal abiding in England, six times crossing the Atlantic for it, in all that period nothing went well. Joseph's last years, not indeed as disastrous as Napoleon's, were distressingly portentous of the end of any Bonaparte dynasty. In the last letter he could write to me, on the 11th of June, 1840, he said: "My position is very singular. The more favorable French opinion is to us, the more do the unjust laws which remove us from our country acquire force as to those for whom they are made, and who seek to deceive the public by deceitful testimonials of interest they affect for the Emperor and for the fifty persons who are out of France only because the people wish them in France. I have written to Paris for a newspaper, to be sent to you, by which you may have the penetration to judge whether we shall remain abroad or return to France." The suspense and conflict proved too much for him. On the 22d of July, 1840, a letter from a member of his family apprised me of his dangerous attack, three weeks before. Though constantly getting better, his physicians, deeming the English climate unfavorable to him, advised the warm baths of Wildbad, in Wirtemberg, and then repose in the mild climate at Florence, with his family.

Lucien Bonaparte, a man almost as remarkable for his strong peculiar characteristics as Napoleon, intended to make a long stay in London, where he enjoyed the hospitalities returned extensively for those which, in the days of his prosperity, he had bestowed on the English. Poor, but intellectual, engaging, and distinguished, Lucien, more brilliant than Joseph, like him a constant supporter of Napoleon in misfortune, died at Vi-

terbo, on a visit to Italy, when Joseph was too ill in England to bear the emotion of being informed of his brother's death.

Louis Napoleon's second attempt, that at Boulogne, occurred in August, 1840. On the 17th of September, 1840, Joseph returned from Germany to England. "The King of Naples and Grand Duke of Tuscany," said my letter from his household, dated the 27th of that month, "are afraid that his sojourn at Florence might injure them. The warm baths at Wildbad were beginning to do him good, when the affair at Boulogne, the death of his brother Lucien, and this last crying injustice, have again deranged his health, which needs the utmost care and management. How we regret the quiet of Point Breeze and excellent Dr. Chapman, to establish his precious health. By leaving the United States, there are proofs at hand to show, that he sacrificed himself for his relations. He cannot write, but charges me with his friendship for you." A postscript, of the 28th September, 1840, adds: "This is the day when the trial of the accused at Boulogne begins." On the 27th of February, 1841, another letter, from the same correspondent, informed me that Joseph had hired Lord Denbigh's country-seat, Lutterworth, ninety miles from London by the Birmingham railroad, the London atmosphere being deemed unwholesome for him; and that Count Demidoff, a rich Russian nobleman, had married Jerome Bonaparte's daughter Matilda. Joseph's name in his own writing, much deteriorated, was signed to a kind letter dictated by him to me, from Florence, the 28th of September, 1841, where he was at last settled in the midst of his family: his wife, their eldest daughter and her husband, with eight or nine children, his brothers, Louis and Jerome Bonaparte, with Jerome's two sons. Other letters of the same kind followed. One, dated Florence, the 14th of March, 1843, says: "I can not but approve your project of writing in English my brother's life, taking the time necessary to collect all the information you will need; and I do not doubt its success. I regret much that my health does not permit my helping you; but I have written to Mr. Prèsle, my former secretary and agent at Paris, to send you the note you desire of the best works to consult, and to add to them all the infor-

mation he can afford. He has written to me that he will employ himself and write to you on the subject. Abel Hugo's abridgment of the Emperor's history, which I gave you, will be very useful. It is written in a good sense." On the 10th of June, 1843, M. Prèsle wrote to me from Paris that, conformably to Count Survilliers's recommendation, he had conferred with some friends there, who agreed with him in recommending to me M. Gallois's work, and that of M. Thiboudeau, in ten volumes, entitled "History of the Consulate and the Empire," remarkable for the talents and impartiality of the author, who was in a position to see well and judge well. "Those works, added to information you have from conversations with Count Survilliers, will enable you to compose the biography." A letter, dated Florence, the 7th of August, 1844, informed me of Joseph Bonaparte's death there, the 28th of July of that year. His last moments were without suffering, and he expired surrounded by his family, solaced by the truest devotion and the deepest respect. Great part of the people of Florence assisted at his funeral. The Grand Duke's troops escorted his remains to the chapel where, according to his last will, they are to remain till the gates of France are opened for their interment there, as it directs.

Joseph, a mild and amiable, was not, however, an effeminate man. At school, he excelled in belles-lettres, while mathematics were Napoleon's favorite study. Joseph helped Napoleon with his Latin and French learning; Napoleon helped Joseph with his algebra and Euclid. Joseph was born for peace and quiet; Napoleon for war and tumult. Joseph wrote verses and recited those of the great masters; Napoleon preferred Plutarch. Yet Joseph behaved with courage in battle: with fortitude and good sense on all occasions. As deputy, diplomatist, soldier, king, and exile, he was uniformly liberal, well informed and disposed, respectable, benevolent, and just. From the principles of '89 he never swerved; would have incorporated them with the institutions of every country; and, after long, calm, clear, practical comprehension of them in their American development, was convinced that they might be carried further than they ever had been elsewhere. Like

Napoleon, vain as an Italian or Frenchman, more vain than an Englishman or American, though a better republican, as regarded equality, than either the English or Americans, he was less republican in his ideas of personal liberty. In England, he would have been a Whig, in this country, a disciple of Washington. He abhorred the excesses of the French reign of terror, yet vindicated Robespierre, whom he well knew, an honest, incorruptible enthusiast, no sans culotte, but always well dressed and behaved, crushed, said Joseph, under the iron wheels of the revolutionary car, as he in vain endeavored to check its sanguinary course. Robespierre's brother, who served in a civil capacity in the army with Napoleon and Joseph, who were both intimate with him, was remarkably amiable, honest, virtuous, and disinterested. Eclipsed by Napoleon, Joseph looked small beside that giant. Joseph's love of ease furthermore disparaged him, compared with his indefatigable brother. Without the energetic conceptions that produce daring courage, war did not electrify Joseph's faculties like Napoleon's, nor battle rouse him to heroism; tranquil in victory, resigned in defeat. When he offered Napoleon to take his place in bed, at Rochefort, feign illness, then embark as the Emperor, he probably captured by the English, and, from the strong likeness of the two brothers, risk all the Emperor's perils of captivity or death, while Napoleon, as Joseph, might escape to America, the man of peace displayed courage as great as ever signalized the man of war. Without Napoleon's genius, Joseph was quite as fearless. On the 28th of Germinal, year XII., Bonaparte, First Consul of the Republic, by special message, nominated to the conservative senate the senator Joseph Bonaparte, as having testified the desire to share the perils of the army encamped on the shores of Boulogne. "The Senate will see with satisfaction that, after having rendered to the Republic important services by the solidity of his counsel in the weightiest circumstances, by the knowledge, skill, and wisdom displayed in several negotiations, by the treaty of Morfontaine, which terminated our differences with the United States of America, by that of Lunéville, which pacified the Continent, and latterly by that of

Amiens, which made peace between France and England, the Senator Joseph Bonaparte should be put in a condition to contribute to the vengeance which the people of France promise themselves for the violation of the last-mentioned treaty, and to acquire further claims to the esteem of the nation. Having served under my eyes in the first campaign of the war, and given proofs of his courage and good qualifications for the calling of arms in the grade of major, I have nominated him as colonel, commandant of the fourth regiment of the line, one of the most distinguished corps of the army, counted among those who, always placed in the most perilous posts, have never lost their colors, and have very often restored or decided victory. I therefore ask leave of absence for him from the Senate while serving with the army."

His last will, drawn by M. Cremieux, who went from Paris to London for that purpose, was executed in London on the 18th of June, 1840; Dr. Granville, one of the witnesses, certifying that he guided the testator's hand, enfeebled by remains of palsy. Most of his American real estate is devised to his eldest grandson, Joseph, entitled Prince of Musignano. Tokens of remembrance, with characteristic kindness, are bequeathed to several friends, among them the late Judge Joseph Hopkinson, named one of the executors of the will, Dr. Chapman, Mr. Short; and to me the small bronze statue of Napoleon as general, in the beginning of his career, with his hair in a queue, small boots, and other marks of the costume of that period. To remove all doubt that might be caused by his inability to sign without help the will made in London, a codicil to it was added, at Florence, the 17th of September, 1841, and the whole there registered according to Tuscan law. On the 23d of June, 1845, in company with M. Louis Mailliard, the surviving testamentary executor, I deposited seven large trunks of Joseph Bonaparte's manuscript papers at the United States Mint, in Philadelphia. These papers, consisting of several hundred of Napoleon's letters, written by him at different times to Joseph, and never published, part of a life of Joseph, written by himself, but not finished or published, and unpublished memoirs of Marshal Jourdan, were kept con-

cealed by Joseph in Europe, and after his death sent by stealth to this country, by his grandson. Apprehending that they might be safer from fire, theft, or other accident, in a public than a private place of deposit, at the instance of the executor and grandson to whom they were bequeathed, I procured permission from Mr. Robert J. Walker, Secretary of the Treasury, to put the seven trunks in the Mint; where they were accordingly placed, in a dry vault, by Mr. Robert M. Patterson, the president of that institution; remaining there till, conformably to Joseph's will, they became his grandson's property, on his attaining twenty-five years of age, the 18th of February, 1849. By virtue of his powers of attorney, they were taken from the Mint, the 23d of October, 1849, and delivered to M. Adolphe Malliard, son of the testamentary executor, by whom they have been sent to Europe. These precious documents are calculated to shed much light on the true character of the great man of whom more has been written, and with more misconception, than of any other personage. It is to be anxiously hoped that the young member of his family, to whom the trust of their publication is assigned, may prove equal to the task, above seduction and temptation.

During the sixty years from just before Napoleon Bonaparte's first appearance to his death, dreadful revolutions convulsed Europe. On his return to Paris, from his last Italian campaign, he told the Directory that the era of representative government had arrived. On his way a prisoner banished to Elba, he said, it was not the coalition, but liberal ideas, which dethroned him. The solace of his incarceration at St. Helena was to compose a democratic constitution for the French Empire. Prophet and victim of that advent, was he not likewise its principal architect? Would France now endure another fifty years of such a reign by divine right as that of Louis XV.? Stupid simplicity of Louis XVI., crafty concessions of Louis XVIII., silly reaction of Charles X., wise and vigorous, but unrepresentative government by Louis Philippe, nothing withstood popular sovereignty, which all Napoleon's genius and glory did not enable him to contradict. His catastrophe put an end to divine vice-regency for monarchs. In 1800,

there was but one parliament in Europe. In 1821, when Napoleon expired, France, Spain, Portugal, Belgium, Holland, Sardinia, Saxony, Wirtemberg, and Bavaria, all had followed England in that novelty. Whether melioration or detriment, it was a fact which history must recognise.

Several millions of common people, and so many eminent personages, put to death in revolutionary struggles, induce most who write of such events to deplore and disfigure their occurrence without philosophical explanation, or marking their benefits. The number of noble and well-born sacrificed in half a century to reform, misleads history. Between forty and fifty kings and queens, emperors and princes, dethroned, executed, murdered, poisoned, suicided, banished, imprisoned, dying of grief, are commemorated by subjects in every language, and their calamities denounced to indignation. Louis XVI., his queen and sister beheaded, his son poisoned or tortured to death, the Duke of Orleans executed, his son Louis Philippe and Charles X. deposed, the Duke of Enghein shot, the Duke of Berry assassinated, the Duke of Bourbon suicided, Napoleon dethroned and imprisoned for life, Joseph, Louis and Jerome Bonaparte, Eliza and Caroline dethroned, Murat dethroned and shot, Eugene and Hortensia Bonaparte, Empresses Josephine and Maria Louisa dethroned, other Bourbons and Bonapartes banished, together with numbers of illustrious put to death, faintly epitomise French revolutionary regalia convulsing all Europe. The Emperor Paul of Russia assassinated, the Empress Catharine, Emperor Alexander, and his brother Constantine, not one of them believed to have died natural deaths; two Turkish sultans, Selim III. and Mustapha IV., massacred; three Spanish kings, Charles, Ferdinand, and Joseph, deposed and banished; several in Portugal, John, Pedro, Michael, and Maria; two emperors of Austria, Joseph II. and Leopold II., poisoned; and a son of Eugene Beauharnois, Duke of Leuchtenburg, consort of the Queen of Portugal; the Queens of Prussia and of Naples driven from their countries and dying of grief; the Kings of Sardinia and of Etruria, the Dukes of Modena and of Parma, and legions of petty German sovereigns dethroned; one King of Sweden

assassinated, another deposed; the King of Great Britain insane; popes put in confinement; American monarchs, Christophe imprisoned, and Iturbide shot—such are some of the memorable casualties which adorn and pervert revolutionary history. But if the misfortunes of comparatively few, however eminent, open an era beneficial to all mankind, was too much suffered for the acquisition?

During twenty years of this vast strife, the genius or demon was Bonaparte. Letters, when a boy at school in France, to his parents in Corsica say, one of them, "I dress but once a week;" another, "I eat but one meal a day;" a third, "Can't you spare me 300 francs (\$80), to go to Paris and seek my fortune?" When, by wisdom, labor, and promotion, superhuman, his fortune was made, vanity, weakness, and error, blasted the plans of the prodigious hero, with whom no other can be compared for intelligence and capacity.

Washington, by virtuous moderation, surrounded by it in his countrymen, founded a republic, rather doubting its stability. Another American contemporary, Bolivar, founded another republic, without Washington's advantages; for Bolivar had to overcome the traditions and propensities of his countrymen. Bonaparte, vainest man of the vainest nation, failed in all but what it preferred. The glacial, plain good sense of the justly-called Iron Duke, who alone in battle vanquished him, stands erect on his Doric pedestal, while the magnificent Corinthian column of Bonaparte lies in still brilliant fragments at the other's feet. Capable of intense abstraction, with never surpassed reasoning faculty, imbued with mathematical investigation, Bonaparte either never had, or lost the power of patience; had no fortitude, but was a creature of passion; worked, raged, ruled, narrated, and expired prematurely, the most perplexing illustration of the vanity of human wishes.

Posterity will account weakness what contemporaries impute as wickedness. Less sanguinary, not more rapacious than most of them, of his immensity scarce a wreck remains. By unequalled victories enormously aggrandized, his empire subjugated, was reduced below royal or republican France. Gigantic despotism provoked universal hostility; and of all

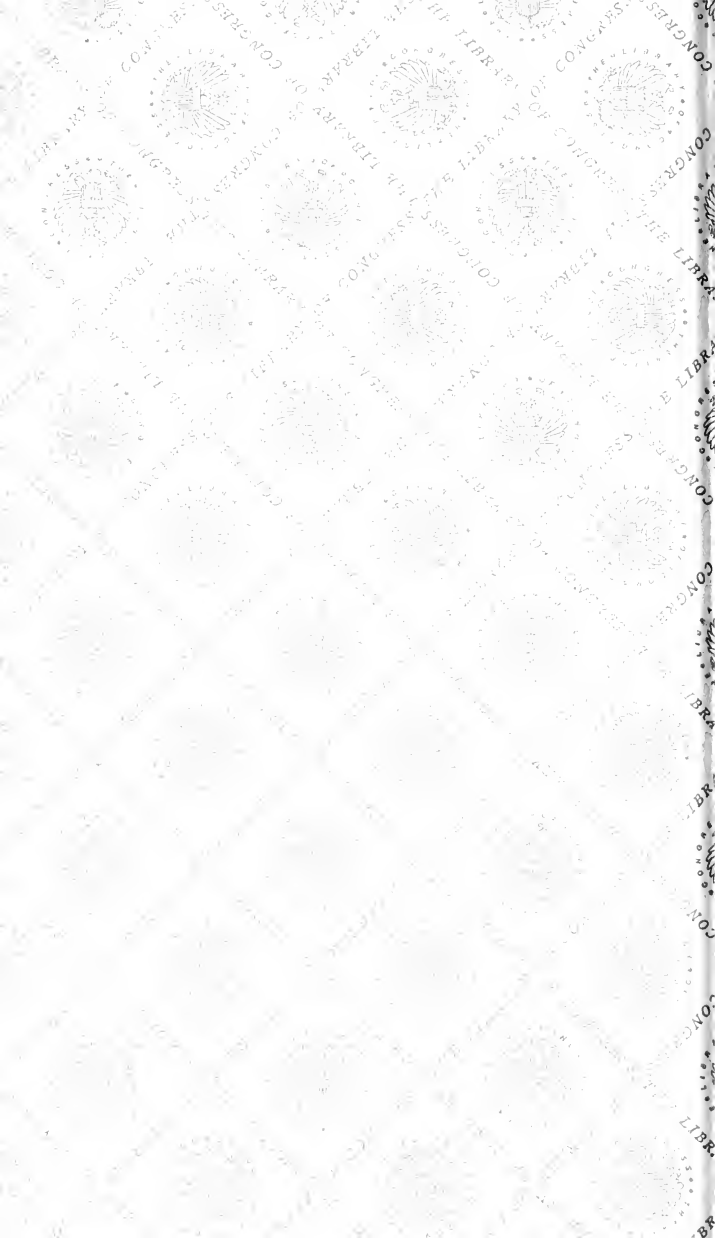
his achievements, what remains? Not founder, but chief European builder of popular election, the permanent result of his career is representative government.

Revolutionary terrorism and imperial despotism enable historians, mostly royalists, to deny beneficial reform; some deny that representative government is reform. But few peasants any longer believe, or priests teach, that kings are so by right divine. Sovereignty of the people, in many parts of Europe, in America universally and unanimously, is recognized as their right; acknowledged by several monarchical governments there and here. American misapprehension demands democracy as indispensable. But recent English exceeds American progress, political and economical. Revolution, in 1849, retrograded, by attempting to reconstruct society, in addition to reforming government. Still, time, the great innovator, is at work. Religious reform, in three centuries, has not yet accomplished general toleration. English, American, and French revolutions vindicate profane philosophy, that the voice of the people is the voice of God; monumental, colossal, and erect, among the ruins of Napoleon's immensity and downfall.

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